

**MINUTES OF THE CITY-COUNTY COUNCIL
AND
SPECIAL SERVICE DISTRICT COUNCILS
OF
INDIANAPOLIS, MARION COUNTY, INDIANA**

**REGULAR MEETINGS
MONDAY, DECEMBER 14, 2009**

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:04 p.m. on Monday, December 14, 2009, with Councillor Cockrum presiding.

Councillor Pfisterer led the opening prayer and invited all present to join her in the Pledge of Allegiance to the Flag.

ROLL CALL

The President instructed the Clerk to take the roll call and requested members to register their presence on the voting machine. The roll call was as follows:

29 PRESENT: Bateman, Brown, Cain, Cardwell, Cockrum, Coleman, Day, Evans, Gray, Hunter, Lewis, Lutz, Mahern (B), Mahern (D), Malone, Mansfield, McHenry, McQuillen, Minton-McNeill, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Sanders, Scales, Smith, Speedy, Vaughn
0 ABSENT:

A quorum of twenty-nine members being present, the President called the meeting to order.

INTRODUCTION OF GUESTS AND VISITORS

Councillor McQuillen recognized former Council President Philip Borst. Councillor Pfisterer recognized westside residents and Marshall Lewis, Breakfast with Santa founder. Councillor Oliver recognized Community Development Corporation directors Josephine Rogers and Reverend Alexander. Councillor Lewis recognized Lisa Barnett and her children Blake and Kayla. Councillor Minton-McNeill recognized Cheryl Lewis, Abu Henderson, and Carol Rinehart. Councillor Mansfield recognized the United States Marines in attendance.

OFFICIAL COMMUNICATIONS

The President called for the reading of Official Communications. The Clerk read the following:

TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA

Ladies And Gentlemen :

You are hereby notified the REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers, on Monday, December 14, 2009, at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,
s/Bob Cockrum
President, City-County Council

December 2, 2009

TO PRESIDENT COCKRUM AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the *Court & Commercial Record* and in the *Indianapolis Star* on Friday, December 4, 2009, a copy of a Notice of Public Hearing on Proposal Nos. 427, 430 and 431, 2009, said hearing to be held on Monday, December 14, 2009, at 7:00 p.m. in the City-County Building.

Respectfully,
s/Melissa Thompson
Clerk of the City-County Council

December 11, 2009

TO PRESIDENT COCKRUM AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have approved with my signature and delivered this day to the Clerk of the City-County Council, Melissa Thompson, the following ordinances:

FISCAL ORDINANCE NO. 44, 2009 – approves the transfer and appropriation of \$61,403,242 in the 2009 Budgets of IMPD, IFD Pensions, the Marion County Sheriff, Coroner, Prosecutor and Public Defender, and Forensic Services Agency (IMPD General, Fire Pension, and County General Funds) into the newly created Public Safety Income Tax Fund in order to comply with Indiana Code requiring all monies collected from the public safety income tax to be accounted for in a separate fund

FISCAL ORDINANCE NO. 45, 2009 – approves a transfer of \$44,200 in the 2009 Budget of the Marion County Assessor (County General Fund) to replace three new central air conditioning units, to upgrade and standardize computer connectivity, and to fund other equipment purchases necessary to expedite commercial appeals processing and to perform mandatory reassessment activities

FISCAL ORDINANCE NO. 46, 2009 – approves the transfer of \$140,000 in the 2009 Budget of the Department of Public Safety (Consolidated County and State Law Enforcement Funds) to purchase a vehicle for the Metro Drug Task Force, to contract for management services in Emergency Management, and to pay other operating expenses in the divisions of Animal Care and Control and Emergency Management and the Director's Office

GENERAL ORDINANCE NO. 115, 2009 – amends the Code to add a new section regarding the internet posting of city and county contracts

GENERAL ORDINANCE NO. 116, 2009 – amends the Code to clarify the definition and violation of animal at large, to expand the definition of serious injury, to specifically provide for court-ordered forfeiture and/or destruction of an animal if serious injury to a person results from the animal chasing or approaching a person in an aggressive manner while at large, and to change the reference to serious bodily injury to serious injury in the section on owner responsibility for animal attacks

December 14, 2009

GENERAL ORDINANCE NO. 117, 2009 – authorizes the removal of no parking anytime restrictions on Park Avenue from 42nd Street to Ruckle Street (District 9)

GENERAL ORDINANCE NO. 118, 2009 – amends the Code to add new provisions regarding unattended bicycles and bicycles not in operation, and traffic restrictions for bicycles on sidewalks and bicycle paths and lanes

GENERAL RESOLUTION NO. 27, 2009 – approves the statement of benefits of Bucher and Christian Consulting, Inc., which is an applicant for tax abatement for property located in an economic revitalization area

GENERAL RESOLUTION NO. 28, 2009 – approves the purchase, construction or acquisition by the Indianapolis-Marion County Building Authority of all or any portion of the Wishard Hospital project and a proposed lease or leases between the Building Authority and the Health and Hospital Corporation to finance all or any portion of the Wishard Hospital project

SPECIAL RESOLUTION NO. 44, 2009 – encourages Congress to preserve Indiana Jobs while considering a student loan reform proposal that makes college more affordable and achieves significant taxpayer savings

SPECIAL RESOLUTION NO. 45, 2009 – recognizes the Indianapolis Neighborhood Resource Center

SPECIAL RESOLUTION NO. 46, 2009 – congratulates and applauds Elinor Ostrom, an American political scientist who is the recipient of the 2009 Nobel Memorial Prize in Economic Sciences, for her pioneering work and analysis of economic governance

SPECIAL RESOLUTION NO. 47, 2009 – acknowledges, congratulates and applauds President Barack Obama on his nomination and receipt of the 2009 Nobel award for peace

SPECIAL RESOLUTION NO. 48, 2009 – calls upon the hospitality industry to reduce the negative impact of outsourcing jobs on the community

SPECIAL RESOLUTION NO. 49, 2009 – requests the General Assembly to amend existing statutes to provide that the Council has binding authority on reviews of township budgets in Marion County

SPECIAL RESOLUTION NO. 50, 2009 – an inducement resolution for GMF-Berkley Commons, LLC in an amount not to exceed \$22,500,000 for the acquisition, renovation and equipping of an existing 544-unit multifamily housing residential rental project known as the Berkley Commons Apartments, 8201 S. Madison Avenue (District 24)

SPECIAL RESOLUTION NO. 51, 2009 – determines the need to lease approximately 2,525 square feet of commercial office space at 7363 E. 21st Street for use by the Marion County Assessor

SPECIAL RESOLUTION NO. 52, 2009 – approves the amounts, locations and programmatic operation of certain projects to be funded from the Community Development Grant Funds in 2010

Respectfully,
s/Gregory A. Ballard, Mayor

ADOPTION OF THE AGENDA

The President proposed the adoption of the agenda as distributed. Without objection, the agenda was adopted.

APPROVAL OF THE JOURNAL

The President called for additions or corrections to the Journal of November 30, 2009. There being no additions or corrections, the minutes were approved as distributed.

PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS, AND COUNCIL RESOLUTIONS

PROPOSAL NO. 487, 2009. The proposal, sponsored by Councillor McQuillen, acknowledges, congratulates and applauds all of the 2009 Nobel Prize winners. Councillor McQuillen read the

proposal and moved, seconded by Councillor Pfisterer, for adoption. Proposal No. 487, 2009 was adopted by a unanimous voice vote.

Proposal No. 487, 2009 was retitled SPECIAL RESOLUTION NO. 53, 2009, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 53, 2009

A PROPOSAL FOR A SPECIAL RESOLUTION acknowledging, congratulating and applauding all of the 2009 Nobel Prize Winners.

WHEREAS, in his last will and testament, Alfred Nobel wrote that much of his fortune was to be used to give prizes to those who have done their best for humanity; and

WHEREAS, in 1901, the Nobel Prize Foundation began honoring men and women from all corners of the globe for outstanding achievements in physics, chemistry, medicine, literature, and for work in peace.

WHEREAS, the Nobel Foundation has named its 2009 awardees in Physiology or Medicine, Physics, Chemistry, Literature, Peace and Economic Sciences and the United States had several honorees this year and

WHEREAS, we, the members of the Indianapolis Marion County City County Council join with the Nobel committee in honoring the following people for their work;

In Physiology or medicine, Elizabeth H. Blackburn, Carol W. Greider and Jack W. Szostak for discovering how chromosomes protect themselves as cells divide, work that has inspired experimental cancer therapies and may offer insights into aging.

In Physics, Charles K Kao, Willard S. Boyle and Thomas Steitz, for creating detailed blueprints of ribosomes, the protein-making machinery within cells, research that is being used to develop new antibiotics.

In Peace, President Barack Obama for his extraordinary efforts to strengthen international diplomacy and cooperation between peoples.

In Economic Sciences, Elinor Ostrom and Oliver Williamson, for their work in economic governance. Ostrom being the first woman to win the Economic Sciences Prize; now therefore,

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City Council applauds and congratulates all of the winners for having been nominated for and accepting 2009 Nobel award.

SECTION 2. The Council joins the Nobel Foundation's selection committee in recognizing that it is the hard work and dedication of people such as these honorees that continues to move our society forward.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 488, 2009. The proposal, sponsored by Councillor Hunter, recognizes the Reggio Display in the Indiana State House. Councillor Hunter read the proposal and presented representatives with copies of the document and Council pins. Representatives Connie Sherman, Dr. Enid Shelley and Ron Smith thanked the Council for the recognition. Councillor Hunter moved, seconded by Councillor Cain, for adoption. Proposal No. 488, 2009 was adopted by a unanimous voice vote.

Proposal No. 488, 2009 was retitled SPECIAL RESOLUTION NO. 54, 2009, and reads as follows:

December 14, 2009

CITY-COUNTY SPECIAL RESOLUTION NO. 54, 2009

A SPECIAL RESOLUTION recognizing the Reggio Display in the Indiana State House.

WHEREAS, the Indianapolis Reggio Collaborative is composed of a community of educators dedicated to continual professional growth in understanding and applying principles and practices of Reggio Emilia; and

WHEREAS, the Indianapolis Reggio Collaborative works to provide environments that honor the rights of children and families and provide experiences that help each child develop to his or her fullest potential; and

WHEREAS, the members of the Collaborative include: St. Mary's Child Center, the Early Learning Centers of Lawrence Township, the Warren Early Childhood Center and the Butler University College of Education; and

WHEREAS, the collaborative member programs are considered "Reggio Inspired" because of the application of the principles and practices of the Reggio approach to early learning that exists within their schools; and

WHEREAS, since 1991, worldwide interest in the work happening with young children in Reggio Emilia has grown and thousands of early childhood educators from around the world have attended conferences in Reggio Emilia to learn more about the Reggio approach; and

WHEREAS, in addition, there are exhibits that travel the world telling the story of how learning takes place for young children in the Reggio Emilia programs; and

WHEREAS, the newest exhibit titled "The Wonder of Learning, The Hundred Languages of Children" was on display in the Indiana State House July 15, 2009 until December 12, 2009; and

WHEREAS, visitors from across the country and the world have come to Indianapolis to see the exhibit and to participate in early childhood conferences held in association with the exhibit; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council proudly recognizes the Indianapolis Reggio Collaborative, as well as the Reggio exhibit "The Wonder of Learning, The Hundred Languages of Children" that is displayed at the Indiana State House.

SECTION 2. The City-County Council, the Indianapolis Reggio Collaborative, the City of Indianapolis, and the State of Indiana consider it an honor and a privilege to be a part of this program and to serve as a host for the world renowned exhibit.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 489, 2009. The proposal, sponsored by Councillors Pfisterer, Lutz and McHenry, recognizes the 11th Annual Breakfast with Santa. Councillor Pfisterer read the proposal and presented representatives with copies of the document and Council pins. Representatives from the Marine Corps, Wayne Township Schools, Longs Bakery, Steak N Shake Restaurants and founder Marshall Lewis thanked the Council for the recognition. Councillor Pfisterer moved, seconded by Councillor Lutz, for adoption. Proposal No. 489, 2009 was adopted by a unanimous voice vote.

Proposal No. 489, 2009 was retitled SPECIAL RESOLUTION NO. 55, 2009, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 55, 2009

A SPECIAL RESOLUTION recognizing the 11th Annual Breakfast with Santa.

WHEREAS, in past, many local businesses and individuals have hosted a special event known as Breakfast with Santa; and

WHEREAS, this annual occasion has given much joy to over 35,000 children and their families to date since its inception; and

WHEREAS, the 2009 Breakfast with Santa will be held Saturday, December 19th from 9:00 a.m. until 3:00 p.m. at the Chapel Hill 7th and 8th Grade Learning Center, West 10th Street and Girl's School Road; and

WHEREAS, Breakfast with Santa sponsors for this year's event include: Steak n' Shake Restaurants; Prairie Farms Dairy/Kevin Sifko; Toys for Tots U.S. Marine Corp; Long's Bakery/Michael and Carol Rinehart; Westview Hospital/Sue Yeskie; Hands on Interpreting/Jim and Pam Cole; Barbara Internal Medicine/Dr. Michael Barbara; Engaging Solutions/Fanny Robinson and DeVonne Richburg; WalMart Corporation/Lafayette Road; Wayne Township Schools; Wayne Township Fire Department; Rich and Lynn Elston; United Water/Eugene Anderson; Charlie Brown's Restaurant/Elizabeth Glover and Fansler Construction/Tom Fansler; and

WHEREAS, special thanks go to Channel 16, Enterprise Trucking, Marci Goldman, Costumes by Margie, Cheryl Lewis, and all volunteers of Friends of Santa; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes and commends all who make the annual Breakfast with Santa event possible, especially Marshall Lewis (the founder of this event) and the Friends of Santa Breakfast Committee: Sgt. Jimmy Leiva, 1st Sgt. William Hess, GySgt. Ramon Rivera, Sgt. Nicholas Bucher, Joe Leuthold, Shenia Suggs, Chris and Vicki Walker, Tempie Jones, Gloria Hubbuch, Sue Yeskie, Connie Bayles, James Tannichill, Jamie Meredith, Ron Cranfield, JoAnn Threath, DeVonne Richburg, Debbie Chenoweth, Julia Eppen and Stan Eppen.

SECTION 2. For all of the time, expense, and energy that goes into planning and hosting this breakfast for the children, a sweet smile from a little child at Christmas is all the reward necessary for a job well done.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Councillor Pfisterer reported that the Administration and Finance Committee heard Proposal Nos. 420, 421, 424 and 425, 2009 on December 1, 2009. She asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 420, 2009. The proposal, sponsored by Councillor Pfisterer, reappoints Tara Acton to the Property Tax Assessment Board of Appeals. PROPOSAL NO. 421, 2009. The proposal, sponsored by Councillor Pfisterer, reappoints Jackie Nytes to the City-County Internal Audit Committee. PROPOSAL NO. 424, 2009. The proposal, sponsored by Councillor Pfisterer, reappoints Michael Rodman to the Information Technology Board. PROPOSAL NO. 425, 2009. The proposal, sponsored by Councillor Pfisterer, reappoint Jennifer Ruby to the Information Technology Board. By unanimous votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Pfisterer moved, seconded by Councillor McQuillen, for adoption. Proposal Nos. 420, 421, 424 and 425, 2009 were adopted on the following roll call vote; viz:

December 14, 2009

28 YEAS: *Brown, Cain, Cardwell, Cockrum, Coleman, Day, Evans, Gray, Hunter, Lewis, Lutz, Mahern (B), Mahern (D), Malone, Mansfield, McHenry, McQuillen, Minton-McNeill, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Sanders, Scales, Smith, Speedy, Vaughn*
0 NAYS:

1 NOT VOTING: *Bateman*

Proposal No. 420, 2009 was retitled COUNCIL RESOLUTION NO. 93, 2009, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 93, 2009

A COUNCIL RESOLUTION reappointing Tara Acton to the Property Tax Assessment Board of Appeals.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Property Tax Assessment Board of Appeals, the Council reappoints:

Tara Acton

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2010. The person appointed by this resolution shall serve until his or her successor is appointed and qualifies.

Proposal No. 421, 2009 was retitled COUNCIL RESOLUTION NO. 94, 2009, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 94, 2009

A COUNCIL RESOLUTION reappointing Jackie Nytes to the City-County Internal Audit Committee.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the City-County Internal Audit Committee, the Council reappoints:

Jackie Nytes

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2010. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

Proposal No. 424, 2009 was retitled COUNCIL RESOLUTION NO. 95, 2009, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 95, 2009

A COUNCIL RESOLUTION reappointing Michael Rodman to the Information Technology Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Information Technology Board, the Council reappoints:

Michael Rodman

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2010. The person appointed by this resolution shall serve at the pleasure of the Council and until his successor is appointed and qualifies.

Proposal No. 425, 2009 was retitled COUNCIL RESOLUTION NO. 96, 2009, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 96, 2009

A COUNCIL RESOLUTION reappointing Jennifer Ruby to the Information Technology Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Information Technology Board, the Council reappoints:

Jennifer Ruby

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2010. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

Councillor McQuillen reported that the Municipal Corporations Committee heard Proposal Nos. 434 and 435, 2009 on December 9, 2009.

PROPOSAL NO. 434, 2009. The proposal, sponsored by Councillor McQuillen, reappoints Alan Rowland to the Indianapolis Public Transportation Corporation Board of Directors. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor McQuillen moved, seconded by Councillor Smith, for adoption. Proposal No. 434, 2009 was adopted on the following roll call vote; viz:

29 YEAS: *Bateman, Brown, Cain, Cardwell, Cockrum, Coleman, Day, Evans, Gray, Hunter, Lewis, Lutz, Mahern (B), Mahern (D), Malone, Mansfield, McHenry, McQuillen, Minton-McNeill, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Sanders, Scales, Smith, Speedy*
0 NAYS:

Proposal No. 434, 2009 was retitled COUNCIL RESOLUTION NO. 97, 2009, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 97, 2009

A COUNCIL RESOLUTION reappointing Alan Rowland to the Indianapolis Public Transportation Corporation Board of Directors.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Indianapolis Public Transportation Corporation Board of Directors, the Council reappoints:

Alan Rowland

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2013. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

PROPOSAL NO. 435, 2009. The proposal, sponsored by Councillor McQuillen, reappoints Robert Pfeifer to the Marion County Health and Hospital Corporation Board of Trustees. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor McQuillen moved, seconded by Councillor Pfisterer, for adoption. Proposal No. 435, 2009 was adopted on the following roll call vote; viz:

December 14, 2009

29 YEAS: Bateman, Brown, Cain, Cardwell, Cockrum, Coleman, Day, Evans, Gray, Hunter, Lewis, Lutz, Mahern (B), Mahern (D), Malone, Mansfield, McHenry, McQuillen, Minton-McNeill, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Sanders, Scales, Smith, Speedy
0 NAYS:

Proposal No. 435, 2009 was retitled COUNCIL RESOLUTION NO. 98, 2009, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 98, 2009

A COUNCIL RESOLUTION reappointing Robert Pfeifer to the Marion County Health & Hospital Corporation Board of Trustees

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Marion County Health & Hospital Corporation Board of Trustees, the Council reappoints:

Robert Pfeifer

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2013. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

Councillor Day reported that the Parks and Recreation Committee heard Proposal Nos. 436 and 437, 2009 on December 3, 2009. She asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 436, 2009. The proposal, sponsored by Councillor Day, reappoints Diana M. Hall to the Board of Parks and Recreation. PROPOSAL NO. 437, 2009. The proposal, sponsored by Councillor Day, reappoints Joseph E. Mayes to the Board of Parks and Recreation. By 6-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Day moved, seconded by Councillor McQuillen, for adoption. Proposal Nos. 436 and 437, 2009 were adopted on the following roll call vote; viz:

29 YEAS: Bateman, Brown, Cain, Cardwell, Cockrum, Coleman, Day, Evans, Gray, Hunter, Lewis, Lutz, Mahern (B), Mahern (D), Malone, Mansfield, McHenry, McQuillen, Minton-McNeill, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Sanders, Scales, Smith, Speedy
0 NAYS:

Proposal No. 436 2009 was retitled COUNCIL RESOLUTION NO. 99, 2009, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 99, 2009

A COUNCIL RESOLUTION reappointing Diana M. Hall to the Board of Parks and Recreation.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Board of Parks and Recreation, the Council reappoints:

Diana M. Hall.

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2010. The person appointed by this resolution shall serve at the pleasure of the Council and until a successor is appointed and qualified.

Proposal No. 437 2009 was retitled COUNCIL RESOLUTION NO. 100, 2009, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 100, 2009

A COUNCIL RESOLUTION reappointing Joseph E. Mayes to the Board of Parks and Recreation.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Board of Parks and Recreation, the Council reappoints:

Joseph E. Mayes

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2010. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

Councillor Vaughn reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 438-450, 2009 on December 2, 2009. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 438, 2009. The proposal, sponsored by Councillor Vaughn, reappoints Janelle Canaday to the Animal Care and Control Board. PROPOSAL NO. 439, 2009. The proposal, sponsored by Councillor Vaughn, reappoints William Gooden to the Animal Care and Control Board. PROPOSAL NO. 440, 2009. The proposal, sponsored by Councillor Vaughn, reappoints Meshell Chapman to the Marion County Community Corrections Advisory Board. PROPOSAL NO. 441, 2009. The proposal, sponsored by Councillor Vaughn, reappoints Jason Reyome to the Marion County Community Corrections Advisory Board. PROPOSAL NO. 442, 2009. The proposal, sponsored by Councillor Vaughn, reappoints D. Michael Wallman to the Marion County Community Corrections Advisory Board. PROPOSAL NO. 443, 2009. The proposal, sponsored by Councillor Vaughn, reappoints Avachino Reeves to the Crime Prevention Advisory Board. PROPOSAL NO. 444, 2009. The proposal, sponsored by Councillor Vaughn, reappoints Edward Bartkus to the Domestic Violence Fatality Review Team. PROPOSAL NO. 445, 2009. The proposal, sponsored by Councillor Vaughn, reappoints Robert L. Bingham to the Domestic Violence Fatality Review Team. PROPOSAL NO. 446, 2009. The proposal, sponsored by Councillor Vaughn, reappoints K. Sue Leonard to the Domestic Violence Fatality Review Team. PROPOSAL NO. 447, 2009. The proposal, sponsored by Councillor Vaughn, reappoints Michael Medler to the Domestic Violence Fatality Review Team. PROPOSAL NO. 448, 2009. The proposal, sponsored by Councillor Vaughn, reappoints Albert Serrano to the Domestic Violence Fatality Review Team. PROPOSAL NO. 449, 2009. The proposal, sponsored by Councillor Vaughn, reappoints Sam Nunn to the Indianapolis-Marion County Forensic Board. PROPOSAL NO. 450, 2009. The proposal, sponsored by Councillor Vaughn, reappoints Kenneth Giffin to the Board of Public Safety. By 6-0 votes, the Committee reported the proposals to the Councillor McQuillen, for adoption. Proposal Nos. 438-450, 2009 were adopted on the following roll call vote; viz:

29 YEAS: Bateman, Brown, Cain, Cardwell, Cockrum, Coleman, Day, Evans, Gray, Hunter, Lewis, Lutz, Mahern (B), Mahern (D), Malone, Mansfield, McHenry, McQuillen, Minton-McNeill, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Sanders, Scales, Smith, Speedy
0 NAYS:

Proposal No. 438, 2009 was retitled COUNCIL RESOLUTION NO. 101, 2009, and reads as follows:

December 14, 2009

CITY-COUNTY COUNCIL RESOLUTION NO. 101, 2009

A COUNCIL RESOLUTION reappointing Janelle Canaday to the Animal Care and Control Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Animal Care and Control Board, the Council reappoints:

Janelle Canaday

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2010. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

Proposal No. 439, 2009 was retitled COUNCIL RESOLUTION NO. 102, 2009, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 102, 2009

A COUNCIL RESOLUTION reappointing William Gooden to the Animal Care and Control Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Animal Care and Control Board, the Council reappoints:

William Gooden

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2010. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

Proposal No. 440, 2009 was retitled COUNCIL RESOLUTION NO. 103, 2009, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 103, 2009

A COUNCIL RESOLUTION reappointing Meshell Chapman to the Marion County Community Corrections Advisory Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Marion County Community Corrections Advisory Board, the Council reappoints:

Meshell Chapman

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2012. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

Proposal No. 441, 2009 was retitled COUNCIL RESOLUTION NO. 104, 2009, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 104, 2009

A COUNCIL RESOLUTION reappointing Jason Reyome to the Marion County Community Corrections Advisory Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Marion County Community Corrections Advisory Board, the Council reappoints:

Jason Reyome

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2012. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

Proposal No. 442, 2009 was retitled COUNCIL RESOLUTION NO. 105, 2009, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 105, 2009

A COUNCIL RESOLUTION reappointing D. Michael Wallman to the Marion County Community Corrections Advisory Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Marion County Community Corrections Advisory Board, the Council reappoints:

D. Michael Wallman

SECTION 2. The appointment made by this resolution is for a term ending on December 31, 2012. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

Proposal No. 443, 2009 was retitled COUNCIL RESOLUTION NO. 106, 2009, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 106, 2009

A COUNCIL RESOLUTION reappointing Avachino Reeves to the Crime Prevention Advisory Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Crime Prevention Advisory Board, the Council reappoints:

Avachino Reeves

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2010. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

Proposal No. 444, 2009 was retitled COUNCIL RESOLUTION NO. 107, 2009, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 107, 2009

A COUNCIL RESOLUTION reappointing Edward Bartkus to the Domestic Violence Fatality Review Team.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Domestic Violence Fatality Review Team, the Council reappoints:

December 14, 2009

Edward Bartkus

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2011. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

Proposal No. 445, 2009 was retitled COUNCIL RESOLUTION NO. 108, 2009, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 108, 2009

A COUNCIL RESOLUTION reappointing Robert L. Bingham to the Domestic Violence Fatality Review Team.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Domestic Violence Fatality Review Team, the Council reappoints:

Robert L. Bingham

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2011. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

Proposal No. 446, 2009 was retitled COUNCIL RESOLUTION NO. 109, 2009, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 109, 2009

A COUNCIL RESOLUTION reappointing K. Sue Leonard to the Domestic Violence Fatality Review Team.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Domestic Violence Fatality Review Team, the Council reappoints:

K. Sue Leonard

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2011. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

Proposal No. 447, 2009 was retitled COUNCIL RESOLUTION NO. 110, 2009, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 110, 2009

A COUNCIL RESOLUTION reappointing Michael Medler to the Domestic Violence Fatality Review Team.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Domestic Violence Fatality Review Team, the Council reappoints:

Michael Medler

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2011. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

Proposal No. 448, 2009 was retitled COUNCIL RESOLUTION NO. 111, 2009, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 111, 2009

A COUNCIL RESOLUTION reappointing Albert Serrano to the Domestic Violence Fatality Review Team.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Domestic Violence Fatality Review Team, the Council reappoints:

Albert Serrano

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2011. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

Proposal No. 449, 2009 was retitled COUNCIL RESOLUTION NO. 112, 2009, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 112, 2009

A COUNCIL RESOLUTION reappointing Sam Nunn to the Indianapolis-Marion County Forensic Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Indianapolis-Marion County Forensic Board, the Council reappoints:

Sam Nunn

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2010. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

Proposal No. 450, 2009 was retitled COUNCIL RESOLUTION NO. 113, 2009, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 113, 2009

A COUNCIL RESOLUTION reappointing Kenneth Giffin to the Board of Public Safety.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Board of Public Safety, the Council reappoints:

Kenneth Giffin

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2010. The person appointed by this resolution shall serve at the pleasure of the Council and until a successor is appointed and qualified.

Councillor Hunter reported that the Public Works Committee heard Proposal Nos. 452-455, 2009 on December 10, 2009. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 452, 2009. The proposal, sponsored by Councillor Hunter, reappoints Leon E. Bates to the Marion County Stormwater Management Technical Advisory Committee. PROPOSAL NO. 453, 2009. The proposal, sponsored by Councillor Hunter, reappoints Kenneth W. Hughes to the Board of Public Works. PROPOSAL NO. 454, 2009. The proposal, sponsored by Councillor Hunter, reappoints Robert Parrin to the Board of Public Works. PROPOSAL NO. 455, 2009. The proposal, sponsored by Councillor Hunter, reappoints Dennis Rosebrough to the Board of Public Works. By 9-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Hunter moved, seconded by Councillor Cain, for adoption. Proposal Nos. 452-455, 2009 were adopted on the following roll call vote; viz:

29 YEAS: Bateman, Brown, Cain, Cardwell, Cockrum, Coleman, Day, Evans, Gray, Hunter, Lewis, Lutz, Mahern (B), Mahern (D), Malone, Mansfield, McHenry, McQuillen, Minton-McNeill, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Sanders, Scales, Smith, Speedy
0 NAYS:

Proposal No. 452, 2009 was retitled COUNCIL RESOLUTION NO. 114, 2009, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 114, 2009

A COUNCIL RESOLUTION reappointing Leon E. Bates to the Marion County Stormwater Management Technical Advisory Committee.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Marion County Stormwater Management Technical Advisory Committee, the Council reappoints:

Leon E. Bates

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2011. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

Proposal No. 453, 2009 was retitled COUNCIL RESOLUTION NO. 115, 2009, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 115, 2009

A COUNCIL RESOLUTION reappointing Kenneth W. Hughes to the Board of Public Works.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Board of Public Works, the Council reappoints:

Kenneth W. Hughes

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2010. The person appointed by this resolution shall serve at the pleasure of the Council and until a successor is appointed and qualified.

Proposal No. 454, 2009 was retitled COUNCIL RESOLUTION NO. 116, 2009, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 116, 2009

A COUNCIL RESOLUTION reappointing Robert Parrin to the Board of Public Works.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Board of Public Works, the Council reappoints:

Robert Parrin

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2010. The person appointed by this resolution shall serve at the pleasure of the Council and until a successor is appointed and qualified.

Proposal No. 455, 2009 was retitled COUNCIL RESOLUTION NO. 117, 2009, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 117, 2009

A COUNCIL RESOLUTION reappointing Dennis Rosebrough to the Board of Public Works.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Board of Public Works, the Council reappoints:

Dennis Rosebrough

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2010. The person appointed by this resolution shall serve at the pleasure of the Council and until a successor is appointed and qualified.

PROPOSAL NO. 456, 2009. Councillor Lutz reported that the Rules and Public Policy Committee heard Proposal No. 456, 2009 on December 3, 2009. The proposal, sponsored by Councillor Lutz, reappoints Jennifer L. Ping to the Alcoholic Beverage Board of Marion County. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Lutz moved, seconded by Councillor Plowman, for adoption. Proposal No. 456, 2009 was adopted on the following roll call vote; viz:

28 YEAS: *Bateman, Brown, Cain, Cardwell, Cockrum, Day, Evans, Gray, Hunter, Lewis, Lutz, Mahern (B), Mahern (D), Malone, Mansfield, McHenry, McQuillen, Minton-McNeill, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Sanders, Scales, Smith, Speedy, Vaughn*
1 NAY: *Coleman*

Proposal No. 456, 2009 was retitled COUNCIL RESOLUTION NO. 118, 2009, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 118, 2009

A COUNCIL RESOLUTION reappointing Jennifer L. Ping to the Alcoholic Beverage Board of Marion County.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Alcoholic Beverage Board of Marion County, the Council reappoints:

Jennifer L. Ping.

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2010. The person appointed by this resolution shall serve at the pleasure of the Council and for sixty (60) days after the expiration of such term or until such earlier date as successor is appointed and qualifies.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 473, 2009. Introduced by Councillor Pfisterer. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Patricia Polis McCrory to the Audit Committee"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 474, 2009. Introduced by Councillor Hunter. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which approves the Mayor's appointment of Darrell R. Fishel as hearing officer to preside over the administrative adjudication of parking citations"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 475, 2009. Introduced by Councillor Vaughn. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which directs and authorizes the county information technology board's chief information officer to analyze the information technology systems of certain city and county agencies, and to report findings and recommendations to the board and to the Council"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 476, 2009. Introduced by Councillor Smith. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Timothy Ping to the Metropolitan Development Commission"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 477, 2009. Introduced by Councillor Smith. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Earl Daniel Pool to the Metropolitan Board of Zoning Appeals, Division I"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 478, 2009. Introduced by Councillor Smith. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Matthew Symons to the Metropolitan Board of Zoning Appeals, Division I"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 479, 2009. Introduced by Councillor Smith. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Mindy Westrick to the Metropolitan Board of Zoning Appeals, Division III"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 480, 2009. Introduced by Councillors Vaughn and Sanders. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which establishes a Division of Metropolitan Planning Organization within the Department of Metropolitan Development"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 481, 2009. Introduced by Councillors Day and Gray. The Clerk read the proposal entitled: "A Proposal for a General Resolution which authorizes public-private

operating agreements by and between the Department of Parks and Recreation and various business entities for the management and operation of city-owned golf courses"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 482, 2009. Introduced by Councillor Vaughn. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints David Certo to the Domestic Violence Fatality Review Team"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 483, 2009. Introduced by Councillor Vaughn. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Philip Coons to the Domestic Violence Fatality Review Team"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 484, 2009. Introduced by Councillors Minton McNeill and Sanders. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes a change in parking meter zones on New York Street (District 15)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 485, 2009. Introduced by Councillor Lutz. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Jerry Cosby to the Cable Franchise Board"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 486, 2009. Introduced by Councillor Lutz. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Dean T. Farmer to the Cable Franchise Board"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 490, 2009. Introduced by Councillor McQuillen. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints _____ to the Capital Improvement Board of Managers"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 492, 2009. Introduced by Councillor Pfisterer. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Thomas Grinslade to the County Property Tax Assessment Board of Appeals"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 493, 2009. Introduced by Councillor Smith. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Richard Redell to the Metropolitan Board of Zoning Appeals, Division II"; and the President referred it to the Metropolitan Development Committee.

PROPOSAL NO. 494, 2009. Introduced by Councillor Vaughn. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which appoints Nikki A. Moore to the Citizens Police Complaint Board"; and the President referred it to the Public Safety and Criminal Justice Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NO. 491, 2009. Introduced by Councillor Smith. Proposal No. 491, 2009 is a proposal for Rezoning Ordinance certified by the Metropolitan Development Commission on

December 3, 2009. The President called for any motions for public hearing on the zoning maps change. There being no motions for public hearings, the proposed ordinance, pursuant to IC 36-7-4-608, took effect as if adopted by the City-County Council, was retitled for identification as REZONING ORDINANCE NO. 99, 2009, the original copy of which ordinance is on file with the Metropolitan Development Commission, which was certified as follows:

REZONING ORDINANCE NO. 99, 2009
2009-ZON-058
4606 EAST MICHIGAN STREET (Approximate Address)
Indianapolis, Center Township, Council District # 10
George C. Mimms requests Rezoning of 0.115 acre, from the D-5 District, to the C-3C classification to provide for corridor commercial uses.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 427, 2009. Councillor Pfisterer reported that the Administration and Finance Committee heard Proposal No. 427, 2009 on December 1, 2009. The proposal, sponsored by Councillor Pfisterer, provides for additional appropriations and transfers in the 2009 Budget for various city and county agencies affecting various city and county funds to provide for continued operations and services of agencies. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended.

President Cockrum called for public testimony at 7:48 p.m. There being no one present to testify, Councillor Pfisterer moved, seconded by Councillor Cain, for adoption. Proposal No. 427, 2009, as amended, was adopted on the following roll call vote; viz:

28 YEAS: Bateman, Brown, Cain, Cardwell, Cockrum, Day, Evans, Gray, Hunter, Lewis, Lutz, Mahern (B), Mahern (D), Malone, Mansfield, McHenry, McQuillen, Minton-McNeill, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Sanders, Scales, Smith, Speedy, Vaughn
1 NAY: Coleman

Proposal No. 427, 2009 was retitled FISCAL ORDINANCE NO. 47, 2009, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 47, 2009

A FISCAL ORDINANCE amending the City-County Annual Budget for 2009 (City-County Fiscal Ordinance No. 54, 2008; City-County) by appropriating funds from fund balance, and transferring certain current appropriations between characters, for purposes of those departments and agencies listed below in sections 2 through 16.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since its adoption, the City-County Annual Budget for 2009 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the following departments and agencies listed below in sections 2 through 17, to fund the following:

SECTION 2. The Department of Public Safety, Indianapolis Fire Department, additional appropriation and transfers between characters (Fire General Fund) to pay fleet service charges and to help cover the anticipated personnel costs associated with a 27th pay period that will occur in 2009, and additional appropriations (Federal Grants Fund) to pay final expenses associated with Task Force One's 2008 deployment for Hurricane Gustav and Hurricane Ike. As follows:

The following increased appropriations are hereby approved:

INDIANAPOLIS FIRE DEPARTMENT

1. Personal Services

FIRE GENERAL FUND

2,200,000

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2. Supplies	0
3. Other Services and Charges	0
4. Capital Outlay	0
5. Internal Charges	<u>100,000</u>
TOTAL INCREASE	2,300,000

<u>INDIANAPOLIS FIRE DEPARTMENT</u>	<u>FEDERAL GRANTS FUND</u>
1. Personal Services	38,085
2. Supplies	8,475
3. Other Services and Charges	0
4. Capital Outlay	<u>0</u>
TOTAL INCREASE	46,560

The said increased appropriations are funded by the following reductions:

<u>INDIANAPOLIS FIRE DEPARTMENT</u>	<u>FIRE GENERAL FUND</u>
1. Personal Services	0
2. Supplies	90,000
3. Other Services and Charges	10,000
4. Capital Outlay	200,000
5. Internal Charges	<u>0</u>
TOTAL REDUCTION	300,000

	<u>FIRE GENERAL FUND</u>
Unappropriated and Unencumbered Fund Balance	<u>2,000,000</u>
TOTAL REDUCTION	2,000,000

	<u>FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered Fund Balance	<u>46,560</u>
TOTAL REDUCTION	46,560

SECTION 3. The Information Services Agency, additional funds (Enhanced Access Fund) to develop an on-line lobbyist registration program. As follows:

The following increased appropriations are hereby approved:

<u>INFORMATION SERVICES AGENCY</u>	<u>ENHANCED ACCESS FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	21,600
4. Capital Outlay	<u>0</u>
TOTAL INCREASE	21,600

The said increased appropriations are funded by the following reductions:

	<u>ENHANCED ACCESS FUND</u>
Unappropriated, Unencumbered Fund Balance	<u>21,600</u>
TOTAL REDUCTION	21,600

SECTION 4. The Indianapolis Parks Department, transfers between characters (Park General Fund) to cover various operating expenses through the end of 2009, and additional appropriations (Federal Grants Fund) to pay final expenses associated with repairs caused by the 2008 floods, As follows:

The following increased appropriations are hereby approved:

<u>DEPARTMENT OF PARKS AND RECREATION</u>	<u>PARK GENERAL FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	350,000
4. Capital Outlay	0
5. Internal Charges	<u>0</u>
TOTAL INCREASE	350,000

<u>DEPARTMENT OF PARKS AND RECREATION</u>	<u>FEDERAL GRANTS FUND</u>
1. Personal Services	0
2. Supplies	0

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3. Other Services and Charges	0
4. Capital Outlay	26,020
5. Internal Charges	<u>0</u>
TOTAL INCREASE	26,020

The following appropriations are hereby reduced:

<u>DEPARTMENT OF PARKS AND RECREATION</u>	<u>PARK GENERAL FUND</u>
1. Personal Services	200,000
2. Supplies	0
3. Other Services and Charges	0
4. Capital Outlay	0
5. Internal Charges	<u>150,000</u>
TOTAL REDUCTION	350,000

<u>FEDERAL GRANTS FUND</u>	
Unappropriated and Unencumbered Fund Balance	<u>26,020</u>
TOTAL REDUCTION	26,020

SECTION 5. The Marion County Sheriff's Department, additional funds (Federal Grants Fund) to reimburse overtime expenses associated with an anti-gang initiative in the county jail, and transfers between characters (County General fund and Law Enforcement Federal Equitable Sharing Fund) to pay for gasoline, TASER cartridges, and per diem contractual costs for jail beds in Jail II. As follows:

The following increased appropriations are hereby approved:

<u>MARION COUNTY SHERIFF</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	0
2. Supplies	90,000
3. Other Services and Charges	235,000
4. Capital Outlay	<u>0</u>
TOTAL INCREASE	325,000

<u>MARION COUNTY SHERIFF</u>	<u>LAW ENFORCEMENT EQUITABLE SHARING FUND</u>
1. Personal Services	0
2. Supplies	9,579
3. Other Services and Charges	0
4. Capital Outlay	<u>0</u>
TOTAL INCREASE	9,579

<u>MARION COUNTY SHERIFF</u>	<u>FEDERAL GRANTS FUND</u>
1. Personal Services	6,000
2. Supplies	0
3. Other Services and Charges	0
4. Capital Outlay	<u>0</u>
TOTAL INCREASE	6,000

The said increased appropriations are funded by the following reductions:

<u>MARION COUNTY SHERIFF</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	0
4. Capital Outlay	<u>325,000</u>
TOTAL REDUCTION	325,000

<u>MARION COUNTY SHERIFF</u>	<u>LAW ENFORCEMENT EQUITABLE SHARING FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	0
4. Capital Outlay	<u>9,579</u>
TOTAL REDUCTION	9,579

<u>FEDERAL GRANTS FUND</u>	
Unappropriated, Unencumbered Fund Balance	<u>6,000</u>
TOTAL REDUCTION	6,000

SECTION 6. The Marion County Administrator, additional funds (Local Emergency Planning and Right to Know Fund) to pay expenses associated with the local emergency planning committee for hazardous materials incident response. As follows:

The following increased appropriations are hereby approved:

<u>COUNTY ADMINISTRATOR</u>	<u>LOCAL EMERGENCY PLANNING AND RIGHT TO KNOW FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	7,000
4. Capital Outlay	0
TOTAL INCREASE	7,000

The said increased appropriation is funded by the following reductions:

<u>LOCAL EMERGENCY PLANNING AND RIGHT TO KNOW FUND</u>	
Unappropriated, Unencumbered Fund Balance	7,000
TOTAL REDUCTION	7,000

SECTION 7. The Marion County Coroner, additional funds (County General and County Grants funds) to fund salary and overtime costs for coroner staff, and to fund contractual expenses pertaining to a fellowship program with the IU School of Medicine. As follows:

The following increased appropriations are hereby approved:

<u>MARION COUNTY CORONER</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	72,700
2. Supplies	0
3. Other Services and Charges	34,480
4. Capital Outlay	0
TOTAL INCREASE	107,180

<u>MARION COUNTY CORONER</u>	<u>COUNTY GRANTS FUND</u>
1. Personal Services	2,560
2. Supplies	0
3. Other Services and Charges	0
4. Capital Outlay	0
TOTAL INCREASE	2,560

The said increased appropriations are funded by the following reductions:

<u>MARION COUNTY CORONER</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	0
2. Supplies	5,000
3. Other Services and Charges	0
4. Capital Outlay	0
TOTAL REDUCTION	5,000

	<u>COUNTY GENERAL FUND</u>
Unappropriated, Unencumbered Fund Balance	52,180
TOTAL REDUCTION	52,180

The said increased appropriations are funded by revenues, not previously appropriated, that will be deposited into the following funds:

	<u>COUNTY GENERAL FUND</u>
Marion County Health Dept. revenues supporting said appropriations	50,000
	50,000

	<u>COUNTY GRANTS FUND</u>
Grant revenues supporting the appropriations in Section 7	2,560
	2,560

SECTION 8. The Department of Public Works (Consolidated County Fund), additional funds to purchase approximately twenty heavy duty trucks that will be used for trash collection and snow removal. Also

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included is a technical correction of the funding source for a federal grant previously appropriated. As follows:

The following increased appropriations are hereby approved:

<u>DEPARTMENT OF PUBLIC WORKS</u>	<u>FEDERAL GRANTS FUND</u>
1. Personal Services	2,062
2. Supplies	3,000
3. Other Services and Charges	0
4. Capital Outlay	625,921
5. Internal Charges	<u>0</u>
TOTAL INCREASE	630,983

<u>DEPARTMENT OF PUBLIC WORKS</u>	<u>CONSOLIDATED COUNTY FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	0
4. Capital Outlay	3,559,183
5. Internal Charges	<u>0</u>
TOTAL INCREASE	3,559,183

<u>DEPARTMENT OF PUBLIC WORKS</u>	<u>TRANSPORTATION GENERAL FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	0
4. Capital Outlay	500,000
5. Internal Charges	<u>0</u>
TOTAL INCREASE	500,000

The said increased appropriations are funded by the following reductions:

<u>DEPARTMENT OF PUBLIC WORKS</u>	<u>NON-LAPSING FEDERAL GRANTS FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	0
4. Capital Outlay	630,983
5. Internal Charges	<u>0</u>
TOTAL REDUCTION	630,983

<u>DEPARTMENT OF PUBLIC WORKS</u>	<u>CONSOLIDATED COUNTY FUND</u>
1. Personal Services	1,368
2. Supplies	3,500,000
3. Other Services and Charges	57,815
4. Capital Outlay	0
5. Internal Charges	<u>0</u>
TOTAL REDUCTION	3,559,183

<u>DEPARTMENT OF PUBLIC WORKS</u>	<u>TRANSPORTATION GENERAL FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	0
4. Capital Outlay	0
5. Internal Charges	<u>500,000</u>
TOTAL REDUCTION	500,000

SECTION 9. The Marion County Treasurer (County General Fund), transfer of appropriations to purchase office equipment. As follows:

The following increased appropriations are hereby approved:

<u>COUNTY TREASURER</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	0
4. Capital Outlay	<u>5,000</u>
TOTAL INCREASE	5,000

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The following appropriations are hereby reduced:

<u>COUNTY TREASURER</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	0
2. Supplies	3,000
3. Other Services and Charges	2,000
4. Capital Outlay	0
TOTAL REDUCTION	5,000

SECTION 10. The Office of Finance and Management, transfer of appropriations to cover costs associated with completing the 2006, 2007, and 2008 comprehensive annual financial reports for Marion County. As follows:

The following increased appropriations are hereby approved:

<u>OFFICE OF FINANCE AND MANAGEMENT</u>	<u>CONSOLIDATED COUNTY FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	60,000
4. Capital Outlay	0
5. Internal Charges	0
TOTAL INCREASE	60,000

The following appropriations are hereby reduced:

<u>OFFICE OF FINANCE AND MANAGEMENT</u>	<u>CONSOLIDATED COUNTY FUND</u>
1. Personal Services	60,000
2. Supplies	0
3. Other Services and Charges	0
4. Capital Outlay	0
5. Internal Charges	0
TOTAL REDUCTION	60,000

SECTION 11. The Office of the Mayor, transfer of appropriations to pay for software licenses and remodeling to accommodate new staff in the Mayor's Action Center, and other operating expenses through the end of 2009. As follows:

The following increased appropriations are hereby approved:

<u>MAYOR'S OFFICE</u>	<u>CONSOLIDATED COUNTY FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	44,400
4. Capital Outlay	0
5. Internal Charges	0
TOTAL INCREASE	44,400

The following appropriations are hereby reduced:

<u>MAYOR'S OFFICE</u>	<u>CONSOLIDATED COUNTY FUND</u>
1. Personal Services	40,000
2. Supplies	0
3. Other Services and Charges	0
4. Capital Outlay	1,400
5. Internal Charges	3,000
TOTAL REDUCTION	44,400

SECTION 12. The Indianapolis Police Department, transfer of appropriations to fund overtime for special projects, supplies needed to outfit new police vehicles, and to pay utilities, printing, postage and operating expenses through the end of 2009. As follows:

The following increased appropriations are hereby approved:

<u>INDIANAPOLIS METROPOLITAN POLICE DEPARTMENT</u>	<u>IMPD GENERAL FUND</u>
1. Personal Services	0

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2. Supplies	0
3. Other Services and Charges	200,000
4. Capital Outlay	0
5. Internal Charges	0
TOTAL INCREASE	200,000

<u>INDIANAPOLIS METROPOLITAN POLICE DEPT</u>	<u>STATE LAW ENFORCEMENT FUND</u>
1. Personal Services	40,000
2. Supplies	0
3. Other Services and Charges	0
4. Capital Outlay	0
5. Internal Charges	0
TOTAL INCREASE	40,000

<u>INDIANAPOLIS METROPOLITAN POLICE DEPT</u>	<u>FEDERAL LAW ENFORCEMENT FUND</u>
1. Personal Services	0
2. Supplies	20,000
3. Other Services and Charges	0
4. Capital Outlay	0
5. Internal Charges	0
TOTAL INCREASE	20,000

The following appropriations are hereby reduced:

<u>INDIANAPOLIS METROPOLITAN POLICE DEPARTMENT</u>	<u>IMPD GENERAL FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	0
4. Capital Outlay	0
5. Internal Charges	200,000
TOTAL REDUCTION	200,000

<u>INDIANAPOLIS METROPOLITAN POLICE DEPT</u>	<u>STATE LAW ENFORCEMENT FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	30,000
4. Capital Outlay	10,000
5. Internal Charges	0
TOTAL REDUCTION	40,000

<u>INDIANAPOLIS METROPOLITAN POLICE DEPT</u>	<u>FEDERAL LAW ENFORCEMENT FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	20,000
4. Capital Outlay	0
5. Internal Charges	0
TOTAL REDUCTION	20,000

SECTION 13. The Children's Guardian Home (County General Fund), transfer of appropriations to cover salaries and benefits for current staff and for payouts of accumulated leave for staff who were let go when the Guardian Home stopped accepting children earlier this year. As follows:

The following increased appropriations are hereby approved:

<u>CHILDREN'S GUARDIAN HOME</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	130,000
2. Supplies	0
3. Other Services and Charges	0
4. Capital Outlay	0
TOTAL INCREASE	130,000

The following appropriations are hereby reduced:

<u>CHILDREN'S GUARDIAN HOME</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	0
2. Supplies	4,000

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3. Other Services and Charges	126,000
4. Capital Outlay	<u>0</u>
TOTAL REDUCTION	130,000

SECTION 14. The Cooperative Extension Service (County General Fund), transfer of appropriations to cover various operating expenses through the end of 2009. As follows:

The following increased appropriations are hereby approved:

<u>COOPERATIVE EXTENSION SERVICE</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	11,000
4. Capital Outlay	<u>0</u>
TOTAL INCREASE	11,000

The following appropriations are hereby reduced:

<u>COOPERATIVE EXTENSION SERVICE</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	5,000
2. Supplies	6,000
3. Other Services and Charges	0
4. Capital Outlay	<u>0</u>
TOTAL REDUCTION	11,000

SECTION 15. The Forensic Services Agency (County General Fund), transfer of appropriations to fund the purchase of two cargo vans, and net reduction of appropriations. As follows:

The following increased appropriations are hereby approved:

<u>FORENSIC SERVICES AGENCY</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	0
4. Capital Outlay	<u>60,000</u>
TOTAL INCREASE	60,000

The following appropriations are hereby reduced:

<u>FORENSIC SERVICES AGENCY</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	142,222
2. Supplies	0
3. Other Services and Charges	40,000
4. Capital Outlay	<u>0</u>
TOTAL REDUCTION	182,222

SECTION 16. The Marion Superior Court, transfer of appropriations (Drug Free Community and County General Funds) to cover the purchase of curriculum materials and supplies for community service workers, evening reporting centers and runaway/reception center costs, and net reduction of appropriations. As follows:

The following increased appropriations are hereby approved:

<u>MARION SUPERIOR COURT</u>	<u>DRUG FREE COMMUNITY FUND</u>
1. Personal Services	0
2. Supplies	4,000
3. Other Services and Charges	0
4. Capital Outlay	<u>0</u>
TOTAL INCREASE	4,000

<u>MARION SUPERIOR COURT</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	398,614
4. Capital Outlay	0
TOTAL INCREASE	398,614

The following appropriations are hereby reduced:

<u>MARION SUPERIOR COURT</u>	<u>DRUG FREE COMMUNITY FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	4,000
4. Capital Outlay	<u>0</u>
TOTAL REDUCTION	4,000

<u>MARION SUPERIOR COURT</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	979,386
2. Supplies	0
3. Other Services and Charges	0
4. Capital Outlay	<u>0</u>
TOTAL REDUCTION	979,386

SECTION 17. The Marion County Prosecutor, additional funds including a small transfer of appropriations (County General Fund) to cover an anticipated shortfall in salaries and fringes of personnel for 2009, As follows:

The following increased appropriations are hereby approved:

<u>MARION COUNTY PROSECUTOR</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	350,000
2. Supplies	0
3. Other Services and Charges	0
4. Capital Outlay	<u>0</u>
TOTAL INCREASE	350,000

The following appropriations are hereby reduced:

<u>MARION COUNTY PROSECUTOR</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	20,000
4. Capital Outlay	<u>0</u>
TOTAL REDUCTION	20,000

	<u>COUNTY GENERAL FUND</u>
Unappropriated Unencumbered Fund Balance	330,000
TOTAL REDUCTION	330,000

SECTION 18.

SUMMARY OF APPROPRIATION CHANGES IN THIS ORDINANCE

<u>FUND</u>	<u>TOTAL INCREASES</u>	<u>TOTAL REDUCTIONS</u>
FIRE GENERAL FUND	2,300,000	300,000
DRUG FREE COMMUNITY	4,000	4,000
(CITY) FEDERAL GRANTS FUND	703,563	0
(CITY) NON-LAPSING FEDERAL GRANTS FUND	0	630,983
(COUNTY) FEDERAL GRANTS FUND	6,000	0
COUNTY (LOCAL) GRANTS FUND	2,560	0
LAW ENFORCEMENT EQUITABLE SHARING FUND	9,579	9,579
LOCAL EMERGENCY PLANNING AND RIGHT TO KNOW FUND	7,000	0
IMPD GENERAL FUND	200,000	200,000
STATE LAW ENFORCEMENT FUND	40,000	40,000
TRANSPORTATION GENERAL FUND	500,000	500,000
FEDERAL LAW ENFORCEMENT FUND	20,000	20,000
COUNTY GENERAL FUND	1,386,794	1,657,608
CONSOLIDATED COUNTY FUND	3,663,583	3,663,583
PARK GENERAL FUND	350,000	350,000
ENHANCED ACCESS FUND	21,600	0
GRAND TOTAL	9,214,679	7,375,753

SECTION 19. In accordance with section 151-64 of the revised code of the Consolidated City and County, the following fund balance information is provided (all balances shown are on a budgetary basis):

This ordinance adds new appropriations in the amount of \$21,600 from the Enhanced Access Fund. The 2009 projected ending fund balance for the Enhanced Access Fund is approximately \$1,226,000, which includes the impact of this ordinance.

This ordinance adds new appropriations in the amount of \$2,000,000 from the Fire General Fund. The 2009 projected ending fund balance for the Fire General Fund is approximately \$7,020,000, which includes the impact of this ordinance.

This ordinance adds new appropriations in the amount of \$380,980 from the city's Federal Grants Fund. The 2009 projected ending fund balance for the city's Federal Grants Fund is approximately \$70,000, which includes the impact of this ordinance.

This ordinance adds new appropriations in the amount of \$6,000 from the county's Federal Grants. The 2009 projected ending fund balance for the county's Federal Grants is approximately \$1,337,000, which includes the impact of this ordinance.

This ordinance adds new appropriations in the amount of \$2,560 from the County (local) Grants Fund. The 2009 projected ending fund balance for the County (local) Grants Fund is approximately \$53,000, which includes the impact of this ordinance.

This ordinance adds new appropriations in the amount of \$7,000 from the Local Emergency Planning and Right to Know Fund. The 2009 projected ending fund balance for the Local Emergency Planning and Right to Know Fund is approximately \$370,000, which includes the impact of this ordinance.

SECTION 20. Except to the extent of matching funds approved in the ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriations for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 21. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 430, 2009 Councillor Pfisterer reported that the Administration and Finance Committee heard Proposal No. 430, 2009 on December 1, 2009. The proposal, sponsored by Councillor Vaughn, approves temporary tax anticipation borrowing for Marion County in anticipation of current taxes levied in the years 2008 and 2009, still collectible in the 2009 and 2010 budget years; authorizing the issuance of tax anticipation time warrants to evidence such loans; and pledging and appropriating the taxes to be received in such funds to the payment of such warrants. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Vaughn moved to amend Proposal No. 430, 2009 by adding additional information concerning maximum borrowing for Tax Anticipation Warrants with revisions to Exhibit A.

Councillor Pfisterer seconded the amendment, and Proposal No. 430, 2009 was amended by a unanimous voice vote.

President Cockrum called for public testimony at 7:52 p.m. There being no one present to testify, Councillor Pfisterer moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 430, 2009, as amended, was adopted on the following roll call vote; viz:

28 YEAS: Bateman, Brown, Cain, Cardwell, Cockrum, Day, Evans, Gray, Hunter, Lewis, Lutz, Mahern (B), Mahern (D), Malone, Mansfield, McHenry, McQuillen, Minton-McNeill, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Sanders, Scales, Smith, Speedy, Vaughn

I NAY: Coleman

Proposal No. 430, 2009, as amended, was retitled FISCAL ORDINANCE NO. 48, 2009, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 48, 2009

A PROPOSAL FOR A FISCAL ORDINANCE approving temporary tax anticipation borrowing, authorizing the Marion County ("County") to refinance temporary loans for the use of the funds and accounts listed on Exhibit A (collectively, "Funds") during the period January 1, 2009, through December 31, 2009, in anticipation of current taxes levied in the year 2008 and still collectible in the 2009 budget year ("2009 Taxes"), and to make temporary loans during the period January 1, 2010, through December 31, 2010, in anticipation of current taxes levied in the year 2009 and collectible in the year 2010 ("2010 Taxes", and collectively with the 2009 Taxes, the "Taxes"), authorizing the issuance of tax anticipation time warrants ("Warrants") to evidence such loans; pledging and appropriating the Taxes to be received in such Funds to the payment of such Warrants, including the interest thereon; and fixing a time when this ordinance shall take effect.

WHEREAS, the Auditor of the County has filed with the Mayor of the City of Indianapolis ("City") an estimate and statement showing the amount of money needed to repay outstanding warrants issued to meet current expenses from the Funds pending the receipt of 2009 Taxes actually levied in 2008 and still in the process of collection for the 2009 budget year, and 2010 Taxes actually levied in 2009 and in the process of collection in 2010, and the Mayor did make and enter of record a finding and the Auditor and the Mayor have requested the City-County Council of Indianapolis and of Marion County ("City-County Council") to authorize temporary borrowing to procure funds necessary for use by the Funds to pay the incidental expenses necessary to be incurred in connection with the issuance and sale of the Warrants;

WHEREAS, the City-County Council now finds that the request should be granted and:

- A. that the distribution of 2009 Taxes is late because of reassessment of property under IC 6-1.1-4.4.5.
- B. that there will be insufficient funds in the Funds to repay the warrants issued to meet the current expenses payable from the Funds prior to the distributions of 2009 Taxes levied for such Funds, and the distributions of 2009 Taxes to be collected for the Funds will collectively amount to more than the amounts listed on Exhibit A and the interest cost of making temporary loans for the Funds; and
- C. that there will be insufficient funds in the Funds to meet the current expenses payable from such Funds prior to the distributions of 2010 Taxes levied for such Funds, and the distributions of 2010 Taxes to be collected for the Funds will collectively amount to more than the amounts listed on Exhibit A and the interest cost of making temporary loans for the Funds; and

WHEREAS, a necessity exists for the making of temporary loans for these Funds in anticipation of 2009 Taxes for these Funds actually levied for the year 2008 and still in the course of collection for the budget year 2009, and actually levied for the year 2009 and in the course of collection for the budget year 2010; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Auditor of the County and the Mayor of the City are authorized to borrow in the name of the County on temporary loans for the use and benefit of the Funds of the County in the maximum principal amount of Fifty Three Million Dollars (\$53,000,000) in anticipation of 2009 Taxes for the Funds still to be collected for the 2009 budget year, which loans shall be evidenced by Warrants. The Warrants, including interest, shall be payable from the Funds and there is hereby appropriated and pledged to the payment of these Warrants, including interest, a sufficient amount of the 2009 Taxes to be received in the Funds from the distributions of 2009 Taxes for the Funds, for the payment of the principal of the Warrants evidencing such temporary loan and the amount of interest on such principal computed from the date or dates of the Warrants to their dates of maturity.

SECTION 2. The Auditor of the County and the Mayor of the City are authorized to borrow on temporary loans for the use and benefit of the Funds of the County in the maximum principal amount of Sixty Million Dollars (\$60,000,000) in anticipation of 2010 Taxes for the Funds for the year 2010, which

loans shall be evidenced by Warrants. The Warrants, including interest, shall be payable from the Funds and there is hereby appropriated and pledged to the payment of these Warrants, including interest, a sufficient amount of the 2010 Taxes to be received in the Funds from the distributions of 2010 Taxes for the Funds, to the Funds for the payment of the principal of the Warrants evidencing such temporary loans and the amount of interest on the principal computed from the date or dates of the Warrants to their dates of maturity.

SECTION 3. (a) All Warrants issued pursuant to this ordinance shall bear interest at the rate or rates, not to exceed a maximum rate of three percent per annum, to be determined as provided in Section 4.

(b) *The Warrants for each Fund or Account payable from the 2009 Taxes may be issued in one or more series, designated Series 2009 Warrant ("Series 2009 Warrants") with the appropriate letter designation. The Series 2009 Warrants for each Fund or Account may be issued in an amount not to exceed the respective amounts set forth herein with interest thereon. The Series 2009 Warrants for each Fund or Account may be issued in an amount not to exceed the amount of the distribution of 2009 Taxes scheduled for the 2009 Tax payments for that Fund or Account, taking into account any outstanding 2009 Warrants.*

(c) *The Warrants for each Fund or Account payable from the 2010 Taxes may be issued in one or more series, designated with the year of their closing and with the appropriate letter designation (the "New Warrants"). The New Warrants for each Fund or Account may be issued in an amount not to exceed the respective amounts set forth herein with interest thereon. The New Warrants for each Fund or Account may be issued in an amount not to exceed the amount of the distribution of 2010 Taxes scheduled for the uncollected 2010 Tax payments for that Fund or Account.*

(d) *All Warrants issued pursuant to this ordinance shall mature and be payable on December 31, 2010. The Warrants shall be dated as of the date or dates of actual delivery of the respective Warrants.*

(e) *The interest rate on the Warrants will be determined as provided in Section 4. The Warrants are not subject to redemption prior to their respective maturity dates if sold at public sale and may be redeemed as set forth in the purchase agreement with The Indianapolis Local Public Improvement Bond Bank ("Bond Bank") if sold to it.*

SECTION 4. (a) The Auditor may sell the Warrants in one or more Series as set forth in Section 2 pursuant to either subsection (b) or (c) of this section. The Auditor is hereby authorized and directed to have the Warrants prepared, and the Mayor, Auditor and the Commissioners are hereby authorized and directed to execute and attest the Warrants in the manner substantially set out in the form provided below.

(b) *The Auditor may sell any or all of the Warrants to the Bond Bank pursuant to IC 5-1.4 on such terms and conditions as are consistent with this ordinance and mutually agreed to between the Auditor and the Bond Bank. In the event of a sale of such Warrants to the Bond Bank, the Commissioners, the Mayor and the Auditor are authorized to execute a purchase agreement with the Bond Bank in an acceptable form and to do such other actions and execute such documents as may be required by the Bond Bank as a condition to the purchase of such Warrants.*

(c) *The Auditor may sell any or all the Warrants at public sale. Prior to the sale of the Warrants at public sale, the Auditor shall cause a notice of sale to be published twice, with the first publication at least fifteen days before the date of sale and the second publication at least three days before the sale date, in two newspapers of general circulation, printed in the English language and published in the City of Indianapolis, as provided by IC 5-3-1. All bids at public sale for the Warrants shall be sealed and shall be presented to the Auditor at his office, and all bids shall name the rate or rates of interest for the Warrants or portion thereof. If sold at public sale, the Warrants, or portion thereof bid for, shall be awarded to the bidder or bidders offering the lowest net interest cost to the County determined by computing the total interest on all Warrants and deducting any premium. Any premium shall be used solely for the repayment of the principal of and interest on the Warrants. No bid at public sale for less than par shall be considered, and the Auditor shall have the right to reject any and all bids at public sale. The proper officers of the County are authorized to deliver the time Warrants to the purchaser or purchasers of the Warrants at public sale in one or more series in exchange for the agreed purchase price in immediately available funds. The Warrants may be delivered in one or more Series at one time or in parcels from time to time, pursuant to any agreements or understandings with respect to such delivery by and between the Auditor and the purchaser of the Warrants at public sale.*

December 14, 2009

SECTION 5. The Warrants shall be issued in substantially the following form (all blanks, including the appropriate amounts, date, statutory citations, and other data, to be properly completed prior to the execution and delivery thereof):

No. _____
\$ _____

Principal

MARION COUNTY
TAX ANTICIPATION TIME WARRANT, SERIES 20__ ____
(_____ FUND)

On the _____ day of _____, 20__, the Board of Commissioners of Marion County, Indiana ("County") promises to pay to [bearer] [The Indianapolis Local Public Improvement Bond Bank], at the office of the Marion County Treasurer the sum of _____ Dollars (\$_____), or so much of the principal amount of this Warrant (set forth below) as shall have been advanced as shown in Exhibit A plus interest at the rate of _____% per annum on the amount advanced for the period of the advance, except that any advance in excess of the Maximum Cumulative Monthly Advance as shown on Exhibit B shall bear interest at the rate of _____% per annum. This Warrant shall be payable solely out of and from ad valorem property taxes levied in the year 20__, and payable from the [first installment] [second installment] for the year 20__ ("Taxes"), which Taxes are now in course of collection for the County _____ Fund, with which to pay general, current, operating expenses.

This Warrant is in the principal amount of _____ Dollars (\$_____), evidencing a temporary loan in anticipation of the Taxes for the County _____ Fund.

The temporary loan was authorized by an ordinance duly adopted by the City-County Council at a meeting thereof duly and legally convened and held on the _____ day of December, 2009, for the purpose of providing funds for the County _____ Fund, in compliance with IC 36-2-6.

The consideration for this Warrant is a loan made to the County in anticipation of Taxes levied for the County _____ Fund for the year of [2009][2010], payable in the [first installment] [second installment] for the year [2009][2010], and the Taxes so levied are hereby specifically appropriated and pledged to the payment of this Tax Anticipation Time Warrant.

It is hereby certified and recited that all acts, conditions, and things required to be done precedent to the authorization, preparation, complete execution and delivery of the warrants have been done and performed as provided by law.

IN WITNESS WHEREOF, The Board of Commissioners of Marion County, Indiana has caused the warrant to be signed in the corporate name of the County by the manual or facsimile signatures of the Commissioners, countersigned by the Mayor and attested by the Auditor and the corporate seal of The Board of Commissioners to be hereunto affixed.

Dated this _____ day of _____, 2009.

COMMISSIONERS OF

THE BOARD OF
MARION COUNTY, INDIANA

By: _____
Commissioner

By: _____
Commissioner

By: _____
Commissioner

COUNTERSIGNED:

By: _____
Mayor, City of Indianapolis

ATTEST:

By: _____
Auditor, Marion County

EXHIBIT A

FUND	2009 LEVY AMOUNT	2010 LEVY AMOUNT
COUNTY GENERAL FUND	\$116,969,018	\$116,969,018
WELFARE SINKING FUND	0	\$6,495,185
TOTAL	\$116,969,018	\$123,464,203

(Advances)

[End of Warrant Form]

SECTION 6. The Warrants shall be executed in the name of the County by the manual or facsimile signatures of the Commissioners, countersigned by the Mayor of the City, the corporate seal of the County to be affixed thereto and attested by the Auditor of the County. The Warrants shall be payable at the office of the Marion County Treasurer, or the paying agent of the City. The Auditor may pay costs of issuance of the Warrants from the proceeds thereof.

SECTION 7. In order to preserve the exclusion of interest on the Warrants from gross income for federal tax purposes under Section 103 of the Internal Revenue Code of 1986, as amended and in existence on the date of issuance of the Warrants ("Code"), and as an inducement to purchasers of the Warrants, the County represents, covenants and agrees that:

(a) *No person or entity other than the County or another state or local governmental unit will use proceeds of the Warrants other than as a member of the general public. Warrant proceeds shall be used exclusively for the purposes of the respective Funds.*

(b) *No portion of the principal of or interest on the Warrant proceeds will (under the terms of the Warrant, this ordinance or any underlying arrangement), directly or indirectly, be (i) secured by an interest property used or to be used for a private business use or payments in respect of such property or (ii) derived from payments in respect of such property or borrowed money used or to be used for a private business use.*

(c) *No Warrant proceeds will be loaned to any person or entity other than another state or local governmental unit. No Warrant proceeds will be transferred, directly or indirectly, or deemed transferred to a nongovernmental person in any manner that would in substance constitute a loan of the Warrant proceeds.*

(d) *The County will not take any action nor fail to take any action with respect to the Warrants that would result in the loss of the exclusion from gross income for federal tax purposes on the Warrants pursuant to Section 103 of the Code, nor will the County act in any other manner which would adversely affect such exclusion.*

(e) *The County represents that it intends to qualify for the exception to the rebate requirement of Section 148(f) of the Code set forth in Section 148(f)(4)(B) of the Code. However, if the County does not qualify for such exception with regard to any of the Warrants, the County will comply with the rebate requirement of Section 148(f) of the Code to the extent necessary to preserve the exclusion from gross income of interest on the Warrants and the Bond Bank obligations issued to purchase the Warrants for federal tax purposes.*

(f) *It shall not be an event of default under this ordinance, including without limitation subsections (a) through (e) of this Section, if the interest on any Warrants is not excludable from gross income for federal tax purposes or otherwise pursuant to any provision of the Code which is not currently in effect and in existence on the date of issuance of the Warrants.*

SECTION 8. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 431, 2009. Councillor Pfisterer reported that the Administration and Finance Committee heard Proposal No. 430, 2009 on December 1, 2009. The proposal, sponsored by Councillor Vaughn, approves temporary tax anticipation borrowing for the City of Indianapolis in anticipation of current taxes levied in the years 2008 and 2009, still collectible in the 2009 and 2010 budget years; authorizing the issuance of tax anticipation time warrants to evidence such

loans; and pledging and appropriating the taxes to be received in such funds to the payment of such warrants. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Vaughn moved to to amend Proposal No. 431, 2009 by adding additional information concerning maximum borrowing for Tax Anticipation Warrants with revisions to Sections 1, 2 and Exhibit A.

Councillor Moriarty Adams seconded the amendment, and Proposal No. 431, 2009 was amended by a unanimous voice vote.

President Cockrum called for public testimony at 7:54 p.m. There being no one present to testify, Councillor Pfisterer moved, seconded by Councillor Nytes, for adoption. Proposal No. 431, 2009, as amended, was adopted on the following roll call vote; viz:

28 YEAS: Bateman, Brown, Cain, Cardwell, Cockrum, Day, Evans, Gray, Hunter, Lewis, Lutz, Mahern (B), Mahern (D), Malone, Mansfield, McHenry, McQuillen, Minton-McNeill, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Sanders, Scales, Smith, Speedy, Vaughn
1 NAY: Coleman

Proposal No. 431, 2009, as amended, was retitled FISCAL ORDINANCE NO. 49, 2009, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 49, 2009

A PROPOSAL FOR A FISCAL ORDINANCE approving temporary tax anticipation borrowing, authorizing the City of Indianapolis ("City") to refinance temporary loans for the use of the funds and accounts listed on Exhibit A (collectively, "Funds") during the period January 1, 2009, through December 31, 2009, in anticipation of current taxes levied in the year 2008 and still collectible in the 2009 budget year ("2009 Taxes"), and to make temporary loans during the period January 1, 2010, through December 31, 2010, in anticipation of current taxes levied in the year 2009 and collectible in the year 2010 ("2010 Taxes," and collectively with the 2009 Taxes, the "Taxes"), authorizing the issuance of tax anticipation time warrants ("Warrants") to evidence such loans; pledging and appropriating the Taxes to be received in such Funds to the payment of such Warrants, including the interest thereon; and fixing a time when this ordinance shall take effect.

WHEREAS, the Controller has represented and the City-County Council now finds:

- A. That the distribution of 2009 Taxes is late because of reassessment of property under IC 6-1.1-4-4.5 (Trending).
- B. That there will be insufficient funds in each of the Funds to repay outstanding warrants issued to meet the current expenses payable from such Fund prior to the 2009 distributions of 2009 Taxes levied for such Fund, and the 2009 distributions of 2009 Taxes to be collected for the respective amounts listed on Exhibit A and the interest cost of making temporary loans for the respective Funds.
- C. That there will be insufficient funds in the Funds to meet the current expenses payable from such Funds prior to the 2010 distributions of 2010 Taxes levied for such Funds, and the 2010 distributions of 2010 Taxes to be collected for the respective amounts listed on Exhibit A and the interest cost of making temporary loans for the respective Funds.

WHEREAS, a necessity exists for the making of temporary loans for these Funds in anticipation of Taxes for these Funds and Accounts actually levied for the year 2008 and still in the course of collection for the budget year 2009, and for the year 2009 and in the course of collection for the year 2010; now therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The City is authorized to borrow on temporary loans for the use and benefit of each of the Funds of the City listed on Exhibit A in the maximum principal amount of \$66,200,000 in anticipation of 2009 Taxes for that Fund still to be collected in for the 2009 budget year, which loans shall be evidenced by Warrants. The Warrants, including interest, shall be payable from the respective Funds for which the Warrants are issued and there is hereby appropriated and pledged to the payment of these Warrants, including interest, a sufficient amount of the 2009 Taxes to be received in the respective Funds from 2009 distributions of 2009 Taxes for each of the Funds, to the respective Funds, the 2009 Budget Payments of Loans (hereby created) for the payment of the principal of the Warrants evidencing such temporary loans, and the amount of interest on such principal computed from the date or dates of the Warrants to their dates of maturity.

SECTION 2. The City is authorized to borrow on temporary loans for the use and benefit of each of the Funds of the City listed on Exhibit A in the maximum aggregate principal amount of \$87,000,000 in anticipation of Taxes for that Fund for the year 2010, which loans shall be evidenced by Warrants. Each Fund's borrowing is limited to the amount of Taxes not yet collected at the time of the issuance of warrants for that Fund. The Warrants, including interest, shall be payable from the respective Funds for which the Warrants are issued and there is hereby appropriated and pledged to the payment of these Warrants, including interest, a sufficient amount of the Taxes to be received in the respective Funds from the distributions of Taxes for each of the Funds, to the respective Funds, the 2010 Budget Payments of Loans (hereby created) for the payment of the principal of the Warrants evidencing such temporary loans, and the amount of interest on such principal computed from the date or dates of the Warrants to their dates of maturity or redemption. The Warrants may be issued to refund outstanding Warrants issued in anticipation of the Taxes to the extent the Taxes collected to date are not sufficient.

SECTION 3. (a) All Warrants issued pursuant to this ordinance shall bear interest at the rate or rates, not to exceed a maximum rate of three percent per annum, to be determined as provided in Section 4.

(b) The Warrants for each Fund or Account payable from the 2009 Taxes may be issued in one or more series, designated Series 2009 Warrants ("Series 2009 Warrants"), designated under the appropriate letter designation. The Series 2009 Warrants for each Fund or Account may be issued in an amount not to exceed the respective amounts set forth herein with interest thereon. The Series 2009 Warrants for each Fund or Account may be issued in an amount not to exceed the amount of the distribution of 2009 Taxes scheduled for the 2009 Tax payments for that Fund or Account, taking into account any outstanding 2009 Warrants.

(c) The Warrants for each Fund or Account payable from the 2010 Taxes may be issued in one or more series, designated with the year of their closing and with the appropriate letter designation (the "New Warrants"). The New Warrants for each Fund or Account may be issued in an amount not to exceed the respective amounts set forth herein with interest thereon. The New Warrants for each Fund or Account may be issued in an amount not to exceed the amount of the distribution of 2010 Taxes scheduled for the uncollected 2010 payment for that Fund or Account.

(d) All Warrants issued pursuant to this ordinance shall mature and be payable on December 31, 2010. The Warrants shall be dated as of the date or dates of actual delivery of the respective Warrants.

(e) The interest rate on the Warrants will be determined as provided in Section 4. The Warrants are not subject to redemption prior to their respective maturity dates if sold at public sale and may be redeemed as set forth in the purchase agreement with The Indianapolis Local Public Improvement Bond Bank ("Bond Bank") if sold to it.

SECTION 4. (a) The Controller may sell the Warrants in one or more Series as set forth in Section 2 pursuant to either subsection (b) or (c) of this section. The Controller is hereby authorized and directed to have the Warrants prepared, and the Mayor, Controller and Clerk are hereby authorized and directed to execute and attest the Warrants in the manner substantially set out in the form provided below.

(b) The Controller may sell any or all the Warrants to the Bond Bank pursuant to IC 5-1.4 on such terms and conditions as are consistent with this ordinance and mutually agreed to between the Controller and the Bond Bank. In the event of a sale of such Warrants to the Bond Bank, the Mayor, Controller and Clerk are authorized to execute a purchase agreement with the Bond Bank in an acceptable form and to do such other actions and execute such documents as may be required by the Bond Bank as a condition to the purchase of such Warrants.

(c) The Controller may sell any or all the Warrants at public sale. Prior to the sale of the Warrants at public sale, the Controller shall cause a notice of sale to be published twice, with the first publication at least fifteen days before the date of sale and the second publication at least three days

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before the sale date, in two newspapers of general circulation, printed in the English language and published in the City, as provided by IC 5-3-1. All bids at public sale for the Warrants shall be sealed and shall be presented to the Controller at his office, and all bids shall name the rate or rates of interest for the Warrants or portion thereof. If sold at public sale, the Warrants, or portion thereof bid for, shall be awarded to the bidder or bidders offering the lowest net interest cost to the City determined by computing the total interest on all Warrants and deducting any premium. Any premium shall be used solely for the repayment of the principal of and interest on the Warrants. No bid at public sale for less than par shall be considered, and the Controller shall have the right to reject any and all bids at public sale. The proper officers of the City are authorized to deliver the time Warrants to the purchaser or purchasers of the Warrants at public sale in one or more series in exchange for the agreed purchase price in immediately available funds. The Warrants may be delivered in one or more Series at one time or in parcels from time to time, pursuant to any agreements or understandings with respect to such delivery by and between the Controller and the purchaser of the Warrants at public sale.

SECTION 5. The Warrants shall be issued in substantially the following form (all blanks, including the appropriate amounts, date, statutory citations, and other data, to be properly completed prior to the execution and delivery thereof):

No. _____ Principal \$ _____

CITY OF INDIANAPOLIS
TAX ANTICIPATION TIME WARRANT, SERIES 20__
(_____) [FUND]

On the _____ day of _____, 20__, the City of Indianapolis ("City") in Marion County, Indiana promises to pay to [bearer] [The Indianapolis Local Public Improvement Bond Bank], at the office of the Marion County Treasurer, ex officio Treasurer of the City, the sum of _____ Dollars (\$ _____), or so much of the principal amount of this Warrant (set forth below) as shall have been advanced as shown in Exhibit A plus interest at the rate of _____% per annum on the amount advanced for the period of the advance, except that any advance in excess of the Maximum Cumulative Monthly Advance as shown on Exhibit B shall bear as a rate of _____% per annum. This Warrant shall be payable solely out of and from ad valorem property taxes levied in the year of [2009][2010], and payable in the [first installment] [second installment] for the year [2009][2010] ("Taxes"), which Taxes are now in course of collection for the _____ of the City, with which to pay general, current, operating expenses.

This Warrant is in the principal amount of \$ _____ evidencing a temporary loan in anticipation of the Taxes for the _____.

The temporary loan was authorized by an ordinance duly adopted by the City-County Council at a meeting thereof duly and legally convened and held on the _____ day of _____, 2009, for the purpose of providing funds for the _____ of the City, in compliance with IC 36-3-4-22.

The consideration for this Warrant is a loan made to the City in anticipation of Taxes levied for the _____ of the City for the year of [2009][2010], payable in the [first installment] [second installment] for the year [2009][2010], and the Taxes so levied are hereby specifically appropriated and pledged to the payment of this Tax Anticipation Time Warrant.

It is hereby certified and recited that all acts, conditions, and things required to be done precedent to the authorization, preparation, complete execution and delivery of the warrants have been done and performed as provided by law.

IN WITNESS WHEREOF, the City of Indianapolis has caused the warrant to be signed in its corporate name by the manual or facsimile signature of the Mayor, and countersigned by the Controller of the City of Indianapolis, the corporate seal of the City to be hereunto affixed, and attested by the Clerk of the City of Indianapolis.

Dated this _____ day of _____, 20__.

CITY OF INDIANAPOLIS

By: _____

Mayor, City of Indianapolis

COUNTERSIGNED:

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By: _____
Controller, City of Indianapolis

ATTEST:

By: _____
Clerk, City of Indianapolis

EXHIBIT A

FUND	2009 LEVY AMOUNT	2010 LEVY AMOUNT
CONSOLIDATED COUNTY FUND	\$20,939,712	\$21,934,540
FIRE GENERAL FUND	\$45,019,058	\$52,795,603
FIRE CUMULATIVE CAPITAL FUND	\$0	\$2,077,852
IMPD GENERAL FUND	\$33,434,955	\$33,434,955
PARKS GENERAL FUND	\$17,631,318	\$17,612,984
SANITATION SOLID WASTE FUND	\$25,848,863	\$25,833,912
CUMULATIVE CAPITAL DEVELOPMENT FUND	\$14,412,740	\$0
METRO THOROUGHFARE DEBT SERVICE FUND	\$5,043,283	\$5,801,088
PARK DEBT SERVICE FUND	\$3,106,662	\$2,985,217
REDEVELOPMENT DEBT SERVICE FUND	\$7,991,190	\$4,243,483
MECA DEBT SERVICE FUND	\$4,371,247	\$3,880,237
REVENUE TIF FUND	\$44,001,204	\$50,075,243
TOTAL	\$221,800,232	\$220,675,114

(Advances)

[End of Warrant Form]

SECTION 6. The Warrants shall be executed in the name of the City by the manual or facsimile signature of the Mayor of the City, countersigned by the Controller of the City, the corporate seal of the City to be affixed thereto and attested by the Clerk of the City. The Warrants shall be payable at the office of the Marion County Treasurer, the ex officio City Treasurer, or the paying agent of the City. The Controller may pay costs of issuance of the Warrants from the proceeds thereof.

SECTION 7. In order to preserve the exclusion of interest on the Warrants from gross income for federal tax purposes under Section 103 of the Internal Revenue Code of 1986, as amended and in existence on the date of issuance of the Warrants ("Code"), and as an inducement to purchasers of the Warrants, the City represents, covenants and agrees that:

- (a) *No person or entity other than the City or another state or local governmental unit will use proceeds of the Warrants other than as a member of the general public. Warrant proceeds shall be used exclusively for the purposes of the respective Funds or Accounts.*
- (b) *No portion of the payment of the principal of or interest on the Warrants will (under the terms of the Warrant, this ordinance or any underlying arrangement), directly or indirectly, be (i) secured by an interest in property used or to be used for a private business use or payments in*

respect of such property or (ii) derived from payments in respect of such property or borrowed money used or to be used for a private business use.

- (c) No Warrant proceeds will be loaned to any person or entity other than another state or local governmental unit. No Warrant proceeds will be transferred, directly or indirectly, or deemed transferred to a nongovernmental person in any manner that would in substance constitute a loan of the Warrant proceeds.*
- (d) The City will not take any action nor fail to take any action with respect to the Warrants that would result in the loss of the exclusion from gross income for federal tax purposes on the Warrants pursuant to Section 103 of the Code, nor will the City act in any other manner which would adversely affect such exclusion.*
- (e) The City represents that it intends to qualify for the exception to the rebate requirement of Section 148(f) of the Code set forth in Section 148(f)(4)(B) of the Code. However, if the City does not qualify for such exception with regard to any of the Warrants, the City will comply with the rebate requirement of Section 148(f) of the Code to the extent necessary to preserve the exclusion from gross income of interest on the Warrants and the Bond Bank obligations issued to purchase the Warrants for federal tax purposes.*
- (f) It shall not be an event of default under this ordinance, including without limitation subsections (a) through (e) of this Section, if the interest on any Warrants is not excludable from gross income for federal tax purposes or otherwise pursuant to any provision of the Code which is not currently in effect and in existence on the date of issuance of the Warrants.*

SECTION 8. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 414, 2009. Councillor Vaughn reported that the Public Safety and Criminal Justice Committee heard Proposal No. 414, 2009 on November 11 and December 2, 2009. The proposal, sponsored by Councillor Vaughn, approves and accepts the transfer of property from the Indianapolis Public Schools to Marion County on behalf of the Marion Superior Court, Juvenile Division. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Oliver said that he is excited about this project and the re-use of this building. He asked Councillors to support the proposal.

Councillor Smith agreed and said that this is a good way to catch children on the front end to prevent crime

Councillor Bateman said that this is a great way to re-use a facility that could be a drug haven and eyesore. He said that he is excited about the potential for this neighborhood.

Councillor Nytes said that the Martindale/Brightwood residents have come together over the last several years to make this happen, and she especially thanked the CICF for their commitment to help a community accomplish their dreams.

Councillor Minton-McNeill applauded all those involved for their efforts.

Councillor Gray said that in the rehabilitation of the building, he would like to see the school number left on the building for posterity.

Councillor Vaughn moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 414, 2009 was adopted on the following roll call vote; viz:

29 YEAS: *Bateman, Brown, Cain, Cardwell, Cockrum, Coleman, Day, Evans, Gray, Hunter, Lewis, Lutz, Mahern (B), Mahern (D), Malone, Mansfield, McHenry, McQuillen, Minton-McNeill, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Sanders, Scales, Smith, Speedy*
0 NAYS:

Proposal No. 414, 2009 was retitled GENERAL RESOLUTION NO. 29, 2009, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 29, 2009

PROPOSAL FOR A GENERAL RESOLUTION approving and accepting the transfer of School 37 from Indianapolis Public Schools to Marion County on behalf of the Marion Superior Court Juvenile Division.

WHEREAS, School 37 has long been an integral element of the Martindale-Brightwood neighborhood; and,

WHEREAS, School 37 is located adjacent to the Marion County Juvenile Detention Center; and,

WHEREAS, Indianapolis Public Schools ("IPS") is the current owner of and no longer has a need to use School 37 as a school facility; and,

WHEREAS, the Marion Superior Court, Juvenile Division, has the need for additional space for ancillary court services; and,

WHEREAS, IPS is desirous of transferring ownership of School 37 to Marion County, Indiana on behalf of the Marion Superior Court, Juvenile Division; and,

WHEREAS, Marion County, on behalf of the Marion Superior Court, Juvenile Division is desirous of accepting School 37 from IPS; and,

WHEREAS, the Martindale-Brightwood neighborhood is desirous of establishing a community center; and,

WHEREAS, the School 37 facility is large enough to accommodate the needs of both the Marion Superior Court, Juvenile Division for ancillary services and the Martindale-Brightwood neighborhood for a community center; and,

WHEREAS, the Central Indiana Community Foundation is desirous of working with both the Marion Superior Court, Juvenile Division and the Martindale Brightwood neighborhood to rehabilitate, renovate and manage the School 37 facility, establish a community center for the neighborhood and accommodate the needs of the Court; and,

WHEREAS, Indiana Code § 36-1-11-8 provides that a governmental entity may transfer real property to another political subdivision by the adoption of substantially similar resolutions by each entity; and,

WHEREAS, the Indianapolis Public Schools Board of School Trustees will adopt a resolution substantially similar to this resolution transferring School 37 to Marion County, on behalf of the Marion Superior Court, Juvenile Division; and,

WHEREAS, the Marion Superior Court, Juvenile Division has requested that the City-County Council of the City of Indianapolis and Marion County ("City-County Council") adopt this resolution accepting the transfer of School 37 from IPS to Marion County, on behalf of the Marion Superior Court, Juvenile Division; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The City-County Council hereby approves and accepts the transfer by IPS of School 37 and the real estate of its campus to Marion County, on behalf of Marion Superior Court, Juvenile Division.

SECTION 2. This resolution shall be in effect from and after its passage by the City-County Council and compliance with Indiana Code § 36-3-4-14.

PROPOSAL NO. 428, 2009. Councillor Pfisterer reported that the Administration and Finance Committee heard Proposal No. 428, 2009 on December 1, 2009. The proposal, sponsored by Councillor Pfisterer, reduces 2009 appropriations for various city and county agencies. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass as amended. Councillor Pfisterer moved, seconded by Councillor Day, for adoption. Proposal No. 428, 2009, as amended, was adopted on the following roll call vote; viz:

28 YEAS: Brown, Cain, Cardwell, Cockrum, Coleman, Day, Evans, Gray, Hunter, Lewis, Lutz, Mahern (B), Mahern (D), Malone, Mansfield, McHenry, McQuillen, Minton-McNeill, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Sanders, Scales, Smith, Speedy, Vaughn
0 NAYS:
1 NOT VOTING: Bateman

Proposal No. 428, 2009 was retitled FISCAL ORDINANCE NO. 50, 2009, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 50, 2009

A FISCAL ORDINANCE amending the City-County Annual Budget for 2009 (City-County Fiscal Ordinance No. 54, 2008; City-County) by reducing certain appropriations, thereby increasing fund balances, as outlined in section 2.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To reduce certain expenditures, the necessity for which has arisen since its adoption, the City-County Annual Budget for 2009 be, and is hereby, amended by the reductions hereinafter stated for purposes of the following departments and agencies listed below in section 2:

SECTION 2. The following appropriations are hereby reduced:

<u>MARION COUNTY AUDITOR</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	213,843
4. Capital Outlay	0
TOTAL REDUCTION	213,843

<u>MARION COUNTY CLERK</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	96,344
2. Supplies	0
3. Other Services and Charges	0
4. Capital Outlay	0
TOTAL REDUCTION	96,344

<u>MARION COUNTY ELECTION BOARD</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	32,991
2. Supplies	979
3. Other Services and Charges	0
4. Capital Outlay	0
TOTAL REDUCTION	33,970

<u>MARION COUNTY VOTER'S REGISTRATION</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	23,502
2. Supplies	0
3. Other Services and Charges	30,749
4. Capital Outlay	0
TOTAL REDUCTION	54,251

<u>MARION COUNTY RECORDER</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	30,377
2. Supplies	0
3. Other Services and Charges	0

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4. Capital Outlay	0
TOTAL REDUCTION	30,377
<u>MARION COUNTY COMMISSIONERS</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	0
2. Supplies	120
3. Other Services and Charges	901
4. Capital Outlay	0
TOTAL REDUCTION	1,021
<u>MARION COUNTY TREASURER</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	0
2. Supplies	2,375
3. Other Services and Charges	132,150
4. Capital Outlay	0
TOTAL REDUCTION	134,525
<u>MARION CIRCUIT COURT</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	50,000
4. Capital Outlay	0
TOTAL REDUCTION	50,000
<u>MARION COUNTY RECORDER</u>	<u>COUNTY RECORDS PERPETUATION FUND</u>
1. Personal Services	84,788
2. Supplies	0
3. Other Services and Charges	0
4. Capital Outlay	0
TOTAL REDUCTION	84,788
<u>MARION COUNTY CLERK</u>	<u>CLERK'S PERPETUATION FUND</u>
1. Personal Services	33,239
2. Supplies	7,050
3. Other Services and Charges	18,655
4. Capital Outlay	4,000
TOTAL REDUCTION	62,944
<u>MARION SUPERIOR COURT</u>	<u>DRUG TESTING LABORATORY FUND</u>
1. Personal Services	184,511
2. Supplies	82,031
3. Other Services and Charges	28,853
4. Capital Outlay	0
TOTAL REDUCTION	295,395
<u>MARION COUNTY COMMUNITY CORRECTIONS</u>	<u>HOME DETENTION USER FEE FUND</u>
1. Personal Services	0
2. Supplies	19,858
3. Other Services and Charges	179,589
4. Capital Outlay	2,500
TOTAL REDUCTION	201,947
<u>MARION COUNTY PUBLIC DEFENDER</u>	<u>SUPPLEMENTAL PUBLIC DEFENDER FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	522,912
4. Capital Outlay	0
TOTAL REDUCTION	522,912
<u>MARION SUPERIOR COURT</u>	<u>DEFERRAL PROGRAM FEE FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	100,000
4. Capital Outlay	0
TOTAL REDUCTION	100,000

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<u>MARION SUPERIOR COURT</u>	<u>JURY PAY FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	100,000
4. Capital Outlay	0
TOTAL REDUCTION	100,000
<u>CITY-COUNTY COUNCIL</u>	<u>CONSOLIDATED COUNTY FUND</u>
1. Personal Services	30,701
2. Supplies	0
3. Other Services and Charges	46,850
4. Capital Outlay	0
5. Internal Charges	0
TOTAL REDUCTION	77,551
<u>TELECOM AND VIDEO SERVICES AGENCY</u>	<u>CONSOLIDATED COUNTY FUND</u>
1. Personal Services	0
2. Supplies	2,500
3. Other Services and Charges	13,042
4. Capital Outlay	15,005
5. Internal Charges	300
TOTAL REDUCTION	30,847
<u>DEPARTMENT OF PUBLIC SAFETY</u>	<u>CONSOLIDATED COUNTY FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	0
4. Capital Outlay	20,296
5. Internal Charges	0
TOTAL REDUCTION	20,296
<u>DEPARTMENT OF METROPOLITAN DEVELOPMENT</u>	<u>CONSOLIDATED COUNTY FUND</u>
1. Personal Services	146,170
2. Supplies	7,100
3. Other Services and Charges	66,200
4. Capital Outlay	0
5. Internal Charges	0
TOTAL REDUCTION	219,470
<u>DEPARTMENT OF METROPOLITAN DEVELOPMENT</u>	<u>REDEVELOPMENT GENERAL FUND</u>
1. Personal Services	105,209
2. Supplies	0
3. Other Services and Charges	100,000
4. Capital Outlay	0
5. Internal Charges	0
TOTAL REDUCTION	205,209
<u>DEPARTMENT OF METROPOLITAN DEVELOPMENT</u>	<u>TRANSPORTATION GENERAL FUND</u>
1. Personal Services	0
2. Supplies	600
3. Other Services and Charges	3,090
4. Capital Outlay	0
5. Internal Charges	0
TOTAL REDUCTION	3,690
<u>DEPARTMENT OF METROPOLITAN DEVELOPMENT</u>	<u>CITY CUMULATIVE CAPITAL FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	20,000
4. Capital Outlay	40,000
5. Internal Charges	0
TOTAL REDUCTION	60,000
<u>DEPARTMENT OF METROPOLITAN DEVT</u>	<u>LANDMARK BUILDING PRESERVATION FUND</u>
1. Personal Services	0
2. Supplies	0

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3. Other Services and Charges	0
4. Capital Outlay	82,000
5. Internal Charges	<u>0</u>
TOTAL REDUCTION	82,000

<u>DEPARTMENT OF PUBLIC SAFETY</u>	<u>FIRE PENSION FUND</u>
1. Personal Services	850,000
2. Supplies	0
3. Other Services and Charges	0
4. Capital Outlay	0
5. Internal Charges	<u>0</u>
TOTAL REDUCTION	850,000

<u>INDIANAPOLIS FIRE DEPARTMENT</u>	<u>CITY CUMULATIVE CAPITAL FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	538,000
4. Capital Outlay	1,500,000
5. Internal Charges	<u>0</u>
TOTAL REDUCTION	2,038,000

SUMMARY OF APPROPRIATION REDUCTIONS IN THIS ORDINANCE, BY FUND

<u>FUND</u>	<u>TOTAL REDUCTIONS</u>
CONSOLIDATED COUNTY FUND	348,164
FIRE PENSION FUND	850,000
REDEVELOPMENT GENERAL FUND	205,209
CITY CUMULATIVE CAPITAL IMPROVEMENT FUND	2,098,000
COUNTY GENERAL FUND	614,331
CLERK'S PERPETUATION FUND	62,944
DRUG TESTING LABORATORY FUND	295,395
HOME DETENTION USER FEE FUND	201,947
SUPPLEMENTAL PUBLIC DEFENDER FUND	522,912
DEFERRAL PROGRAM FEE FUND	100,000
JURY PAY FUND	100,000
COUNTY RECORDS PERPETUATION FUND	<u>84,788</u>
GRAND TOTAL	5,483,690

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 429, 2009. Councillor Pfisterer reported that the Administration and Finance Committee heard Proposal No. 429, 2009 on December 1, 2009. The proposal, sponsored by Councillors Vaughn, Pfisterer and Nytes, amends the Code to authorize the continuation of the high performance government team subject to council review every two (2) years, to delete the requirement of monthly meetings, to broaden membership to those employed in Marion County, and to require the team to publish semi-annual reports to the council. By a 5-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Sanders said that she will again vote against this proposal. She said that she feels the team does a good job, but she opposes the new language with regard to membership.

Councillor Pfisterer moved, seconded by Councillor Vaughn, for adoption. Proposal No. 429, 2009 was adopted on the following roll call vote; viz:

22 YEAS: Bateman, Brown, Cain, Cardwell, Cockrum, Day, Hunter, Lutz, Mahern (B), Mahern (D), Malone, Mansfield, McHenry, McQuillen, Moriarty Adams, Nytes, Pfisterer, Plowman, Scales, Smith, Speedy, Vaughn
7 NAYS: Coleman, Evans, Gray, Lewis, Minton-McNeill, Oliver, Sanders

Proposal No. 429, 2009 was retitled GENERAL ORDINANCE NO. 119, 2009, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 119, 2009

PROPOSAL FOR A GENERAL ORDINANCE to amend the Revised Code to authorize the continuation of the high performance government team subject to council review every two (2) years, to delete the requirement of monthly meetings, and to require the team to publish semi-annual reports to the council.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Sections 285-801 and 285-802 of the "Revised Code of the Consolidated City and County," regarding the establishment and powers and duties of the high performance government team, hereby are amended by the deletion of the language that is stricken-through, and by the addition of the language that is underscored, to read as follows:

Sec. 285-801. High performance government team established.

- (a) The high performance government team is established.
- (b) The purpose of the high performance government ~~teams~~ team is to review the operations of all taxing units in the City of Indianapolis and Marion County, to assist those units in finding ways to operate more efficiently and effectively, and to make recommendations to the mayor, city-county council, relevant elected officials and the taxing units regarding how to implement the team's findings.
- (c) The team consists of the following thirteen (13) members:
 - (1) Two (2) co-chairpersons, with one (1) appointed by the mayor and one (1) appointed by the city-county council;
 - (2) Eleven (11) members appointed by the co-chairpersons in collaboration with the mayor, city-county council and Greater Indianapolis Chamber of Commerce ~~and no more than six (6) of whom shall be of the same political party;~~
 - (3) The city controller or ~~his/her~~ his or her designee as a non-voting, ex-officio member; and
 - (4) Two (2) city-county councilors of different political parties appointed by the council as non-voting, ex-officio members.
- (d) All members shall serve at the pleasure of the appointing authority, in person and not by proxy, and without compensation.
- (e) Members must be residents of , or employed in, Marion County, Indiana.
- (f) Voting members shall not be elected officials or employees of elected officials.
- (g) Voting members shall have significant experience in the corporate sector, preferably with significant process improvement experience in total quality management, six-sigma, project management, or a particular functional discipline. ~~which is a management strategy aimed at embedding awareness of quality in all organizational processes. Total quality provides an umbrella under which everyone in the organization can strive and create customer satisfaction at continually lower real costs.~~
- (h) The ~~initial~~ appointment of each team member shall be for a term ~~ending on December 31, 2009, or until his or her successor is appointed and qualified. At the end of 2009, the city-county council shall assess the effectiveness of this effort. If appropriate, the city-county council will re-authorize continuation of the team. If the team is re-authorized, all subsequent appointments shall be for a term of two (2) calendar years and until his or her successor is appointed and qualified. If a vacancy occurs, the appointment of a successor shall be for the unexpired portion of the term. Each member may be appointed to successive terms.~~
- (i) A quorum of the team for official action shall be seven (7) voting members.
- (j) The team shall meet as often as necessary, at such place and time as may be set by the co-chairpersons. All official action of the team shall be executed by the co-chairpersons upon being

authorized by a motion passed by a simple majority of voting members present.

(k) The team shall adopt rules for the conduct and procedures of the team's meetings that are consistent with the Indiana Open Door Law and the Access to Public Records Act.

(l) The team is a public agency for purposes of IC 5-14-1.5 and IC 5-14-3.

~~(m) The team shall hold regular meetings at least once a month as necessary to transact the business of the team.~~

(m) The team shall seek city-county council re-authorization every (2) two years.

Sec. 285-802. Powers and duties of the team.

The team has the following powers and duties:

(1) To create project groups to examine services provided by units of local government in the city and county, including but not limited to, the following:

- a. Schools;
- b. Fire service;
- c. Law enforcement;
- d. Poor relief and human services;
- e. Child welfare;
- f. Public works and infrastructure;
- g. Libraries;
- h. Public transportation;
- i. Assessment of property;
- ~~k~~j. Criminal justice system; and
- ~~k~~. Planning and development.

(2) To assign members to act as leaders for each project group.

(3) To require project leaders to report on their progress at regular meetings of the team including information about non-participating entities.

(4) To issue an initial report to the mayor, council and service providers upon the project leaders accomplishing the initial objective of identifying areas for improvement on their teams.

(5) To issue follow-up reports to the mayor, council and service providers from the project groups regarding their actions and progress.

(6) To publish semi-annual reports to the council.

(6) To exercise all powers necessary, convenient, or appropriate to perform the duties listed in this section.

(7) To adopt written rules and guidelines that are necessary or beneficial to the exercise of its powers and duties.

SECTION 2. The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

December 14, 2009

SECTION 3. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provision or provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 4. This ordinance shall be in effect from and after its passage by the Council and compliance with Ind. Code § 36-3-4-14.

PROPOSAL NO. 433, 2009. Councillor Cardwell reported that the Economic Development Committee heard Proposal No. 433, 2009 on December 8, 2009. The proposal, sponsored by Councillor Cockrum, approves the statement of benefits of Comlux Completion USA, LLC, an applicant for tax abatement, for property located in an economic revitalization area. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Cardwell moved, seconded by Councillor McQuillen, for adoption. Proposal No. 433, 2009 was adopted on the following roll call vote; viz:

24 YEAS: Brown, Cain, Cardwell, Cockrum, Day, Evans, Gray, Hunter, Lutz, Mahern (B), Mahern (D), Malone, Mansfield, McHenry, McQuillen, Minton-McNeill, Moriarty Adams, Oliver, Pfisterer, Plowman, Sanders, Scales, Speedy, Vaughn

1 NAY: Coleman

4 NOT VOTING: Bateman, Lewis, Nytes, Smith

Proposal No. 433, 2009 was retitled GENERAL RESOLUTION NO. 30, 2009, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 30, 2009

PROPOSAL FOR A GENERAL RESOLUTION to approve the statement of benefits of Comlux Completion USA, LLC (hereinafter referred to as "Applicant"), an applicant for tax abatement for property located in an allocation area as defined by IC § 36-7-15.1-26.

WHEREAS, IC § 6-1.1-12.1 allows a partial abatement of property taxes attributable to redevelopment, rehabilitation activities or installation of new equipment in Economic Revitalization Areas (each hereinafter referred to as a "Project"); and

WHEREAS, pursuant to IC § 6-1.1-12.1, the Metropolitan Development Commission of Marion County, Indiana, acting as the Redevelopment Commission of the City of Indianapolis, Indiana (hereinafter referred to as "MDC") is empowered to designate Economic Revitalization Areas; and

WHEREAS, IC § 6-1.1-12.1 requires an applicant for Economic Revitalization Area designation to provide a statement of benefits and requires the MDC, before it makes a decision to designate the area as an Economic Revitalization Area, to determine that (i) the estimated value of a Project is reasonable for projects of that nature, (ii) the estimated employment at the indicated annual salaries for a Project identified in the statement of benefits can reasonably be expected, (iii) a Project can be reasonably expected to yield the benefits identified in the statement of benefits and (iv) the totality of benefits arising from a Project is sufficient to justify Economic Revitalization Area designation; and

WHEREAS, pursuant to IC § 6-1.1-12.1-2(l) (as amended, effective July 1, 2008), a statement of benefits for property located within an allocation area, as defined by IC § 36-7-15.1-26, may not be approved unless the City-County Council of Indianapolis and Marion County, Indiana (hereinafter referred to as "Council") adopts a resolution approving the statement of benefits; and

WHEREAS, the Applicant has submitted Statement of Benefits to the MDC as part of their application for Economic Revitalization Area designation for property where Applicant's Project will occur, located within an allocation area, as defined by IC § 36-7-15.1-26; and

WHEREAS, MDC has preliminarily approved Applicant's Statement of Benefits, pending adoption from the Council, to allow the designation of the Economic Revitalization Area and related tax abatement pursuant to IC § 6-1.1-12.1; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Council hereby approves the Statement of Benefits that was submitted to the MDC, as part of the application for Economic Revitalization Area designation, by Comlux Completion USA, LLC.

SECTION 2. This resolution shall be in effect from and after its passage by the Council and compliance with Ind. Code § 36-3-4-14.

PROPOSAL NO. 457, 2009. Councillor Lutz reported that the Rules and Public Policy Committee heard Proposal No. 457, 2009 on December 3, 2009. The proposal, sponsored by Councillor Mansfield, approves a request of the Metropolitan School District of Washington Township to certify its public question referendum to the County Election Board for the May 2010 election. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Mansfield stated that she agreed to sponsor the proposal in order to allow the voters to have the opportunity, as well as responsibility, to voice their wishes on this decision. She said that she did not sponsor it because she necessarily agrees with the merits of the proposed referendum. President Cockrum welcomed Councillor Mansfield back and wished her continued good health and recovery.

Councillor Lutz moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 457, 2009 was adopted on the following roll call vote; viz:

25 YEAS: Brown, Cain, Cardwell, Cockrum, Coleman, Day, Evans, Gray, Hunter, Lutz, Mahern (B), Mahern (D), Malone, Mansfield, McHenry, McQuillen, Minton-McNeill, Moriarty Adams, Oliver, Pfisterer, Plowman, Sanders, Scales, Smith, Speedy

0 NAYS:

4 NOT VOTING: Bateman, Lewis, Nytes, Vaughn

Proposal No. 457, 2009 was retitled GENERAL RESOLUTION NO. 31, 2009, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 31, 2009

PROPOSAL FOR A GENERAL RESOLUTION to certify a question to be submitted to voters in the May 4, 2010 election regarding a referendum tax levy by the Metropolitan School District of Washington Township (the "School Corporation").

WHEREAS, pursuant to IC 20-46-1-8(a)(1), a school corporation may place a referendum on the ballot if it determines that it cannot, in a calendar year, carry out its public educational duty unless it imposes a referendum tax levy; and

WHEREAS, because of the urgency of its financial situation, the School Corporation desires to hold this referendum by election on May 4, 2010 and has adopted the resolution required to place said referendum on the ballot pursuant to IC 20-46-1-8, attached hereto and made a part thereof; and

WHEREAS, pursuant to IC 20-46-1-12 and IC 20-46-1-14, the county fiscal body shall certify the question no later than sixty (60) days prior to the scheduled date of the referendum to the county election board to be voted on at the referendum; and

WHEREAS, pursuant to IC 20-46-1-10, the question to be submitted to voters residing in the jurisdiction of the School Corporation in the referendum must read, "For the next seven calendar years immediately following the holding of the referendum, shall the Metropolitan School District of Washington Township impose a property tax rate that does not exceed eight cents (\$0.08) on each one hundred dollars (\$100) of assessed valuation and that is in addition to the school corporation's normal tuition support tax rate?"; now, therefore:

December 14, 2009

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Pursuant to the specific authority and direction provided by IC 20-46-1-12, the City-County Council hereby certifies the question to be voted on at the referendum to be held in the May 4, 2010, election to the county election board.

SECTION 2. The question to be submitted to voters residing in the jurisdiction of the School Corporation in the referendum shall read as follows:

"For the next seven calendar years immediately following the holding of the referendum, shall the Metropolitan School District of Washington Township impose a property tax rate that does not exceed eight cents (\$.08) on each one hundred dollars (\$100) of assessed valuation and that is in addition to the school corporation's normal tuition support tax rate?"

SECTION 3. Upon the effective date of this general resolution, the Clerk of the City-County Council shall deliver a certified copy thereof to the County Clerk in order that the County Clerk and the County Election Board may discharge their duties pursuant to IC 20-46-1 et seq.

SECTION 4. This resolution shall be in effect from and after its passage by the Council and compliance with Indiana Code § 36-3-4-14.

PROPOSAL NO. 458, 2009. Councillor Lutz reported that the Rules and Public Policy Committee heard Proposal No. 458, 2009 on December 3, 2009. The proposal, sponsored by Councillor McQuillen, amends the Code with respect to the number of committee meetings for which a councillor may be compensated in any calendar year. By a 5-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Mansfield said that she supports the proposal. She said that during her first term, there were several large issues addressed that required extra meetings. She said that although Councillors have the responsibility to attend the meetings, they were not getting paid. She said that she would actually like to see some time in the future no limitation. She said that if people are appointed to serve on a committee and they show up, they should be paid for it.

Councillor Brown asked if Councillors can then make more money if they attend more meetings. Councillor Lutz said they can up to 50 meetings per year. Councillor Brown stated that when he ran for office, the maximum was 40 meetings and therefore he knew what he was getting into. He said that the super-majority make-up of committees should be looked at to see where the responsibility can be spread more evenly. He said that they need to look at the committee makeup and those who are going over their number of meetings to see where changes can be made. He said that every agency is faced with a reduction in the budget, and he feels they can manage their meetings more efficiently to maybe increase the length of meetings and schedule fewer. President Cockrum said that there are usually only one meeting of each committee scheduled between Council meetings, and often, if no business is referred to them, they are cancelled. He said a few years ago, one Councillor refused to serve on a committee, which is their right, and he ended up serving on four committees, which put him over the limit. Councillor Brown stated that some Councillors seem to be serving on more committees than others, and in these economic times, it makes sense to show leadership and cut costs wherever possible. President Cockrum said that members are only paid for standing committees and not special committees or task forces. Councillor Brown said that with the super majority committees where there are five majority members to three minority members, they could reduce those numbers to reduce costs. President Cockrum said that the Committee on Committees makes those committee assignments, and Councillors should voice those concerns to members of that committee.

Councillor Coleman said that maybe the burden could be shifted off those who are over their limit by assigning membership for those who do not serve on any committees.

Councillor Vaughn asked the Clerk if this additional allotment would exceed the budgeted amount for per diems assuming every Councillor attended every meeting to which they were assigned. Melissa Thompson, Clerk of the Council, said that the budget is sufficient and the additional allotment would not exceed the budget. President Cockrum said that 21 full Council meetings are authorized a year, but they already cut that back by scheduling only 19. He said that in his 14 years on the Council, only one time has an emergency meeting been scheduled over those 19 meetings, and the cushion to handle any overages is already built in.

Councillor Sanders said that there is an extra \$290,000 in the budget next year that they could easily borrow from because they should not be spending money on redistricting next year, as budgeted.

Councillor Scales said that although she would benefit from this, she cannot in good conscience vote in favor of the proposal, because many employees have been asked to forego raises this year.

Councillor D. Mahern moved, seconded by Councillor Bateman, to return Proposal No. 458, 2009 to committee for more debate.

President Cockrum said that if it is returned to committee, that would essentially kill the proposal, because it is written to take effect the first of the year. Robert Elrod, General Counsel, agreed and said that state law requires that any change in compensation for elected officials must take place at least one year prior to an election year, and therefore, the proposal needs to be adopted this year. Councillor Mansfield said that the dollar and per diem amount is not changing, and she would like to see the citation in the law where this is indicated. Mr. Elrod agreed to forward that information.

Councillor Nytes asked when the Council last received a raise. President Cockrum stated that he has been on the Council for 14 years and has never received a raise. Councillor Nytes said that the schedule next year reduces the number of Council meetings, and therefore the amount of committee meetings are reduced, as well. She said that in all likelihood most members will not be affected or earn any more money if this passes. She said that it is not unreasonable for Councillors to be paid for their time if they are willing to take on more committees and explore more in-depth issues in front of the public, because they do not get paid for a lot of the things they do spend time on. She said that she does not believe this proposal will have much of an impact financially.

Councillor McQuillen stated that when introducing this proposal, he asked about the fiscal impact and it was figured at about \$2,000 maximum. He asked how much the Council returned to the General Fund last year in savings. President Cockrum stated that they returned \$300,000. Councillor McQuillen said that he believes this is a fair proposal which will have very little impact, and he urged fellow Councillors not to send the proposal back to committee.

Councillor Brown said that since this proposal impacts so few, it does not make sense to him to do it. He asked why the Council cannot instead send back even more money into the General Fund.

Councillor Malone asked if there is room for compromise to maybe increase the limit to 45 meetings. President Cockrum stated that the discussion at this time is only on the motion to return the proposal to committee.

The motion to return Proposal No. 458, 2009 to committee failed on the following roll call vote; viz:

8 YEAS: *Brown, Coleman, Gray, Lewis, Mahern (B), Mahern (D), Oliver, Sanders*
21 NAYS: *Bateman, Cain, Cardwell, Cockrum, Day, Evans, Hunter, Lutz, Malone, Mansfield, McHenry, McQuillen, Minton-McNeill, Moriarty Adams, Nytes, Pfisterer, Plowman, Scales, Smith, Speedy, Vaughn*

Councillor Nytes moved, seconded by Councillor Mansfield, for adoption. Proposal No. 458, 2009 failed on the following roll call vote; viz:

12 YEAS: *Cain, Cockrum, Day, Evans, Malone, Mansfield, McQuillen, Minton-McNeill, Moriarty Adams, Nytes, Smith, Vaughn*
17 NAYS: *Bateman, Brown, Cardwell, Coleman, Gray, Hunter, Lewis, Lutz, Mahern (B), Mahern (D), McHenry, Oliver, Pfisterer, Plowman, Sanders, Scales, Speedy*

Councillors Lutz, D. Mahern, Speedy, Hunter, Brown and Sanders asked for consent to explain their votes. Consent was given. Councillor Lutz said that he voted in favor of the proposal in committee to get it to the Council floor for discussion, but did not feel the merit of the proposal was appropriate in these economic times. Councillor D. Mahern said that he did not support the proposal because it was not returned to committee for more discussion. He said that he often attends more than 40 meetings a year, but believes an issue like this should receive more public scrutiny. Councillor Speedy said that he believes more work needs to be done to even out the committee assignments amongst Councillors. Councillor Hunter stated that in this economy, there is potential for a misconstruing of this proposal to put Councillors in a position where they have to defend themselves. He said that Councillors knew the number of meetings for which they could be paid when entering into this endeavor. Councillor Brown said that every dollar the Council can send back to the General Fund is worth it, and the leadership needs to continue to look at cost-saving measures. Councillor Sanders said that she voted for the proposal in committee, but believes it needs to be looked at more closely. She said that she believes residents are already misled that things are done at a certain cost, and the leadership needs to look at the value of the work done by Councillors.

PROPOSAL NO. 472, 2009. Councillor Vaughn reported that the Public Safety and Criminal Justice Committee heard Proposal No. 472, 2009 on December 2, 2009. The proposal, sponsored by Councillor Vaughn, approves certain public purpose grants totaling \$500,000 from the Drug Free Community Fund. By a 5-0-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillors Hunter and Lewis stated that their employers receive some of these funds through the grant program and asked for consent to abstain from voting. Consent was given.

Councillor Vaughn moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 472, 2009 was adopted on the following roll call vote; viz:

27 YEAS: *Bateman, Brown, Cain, Cardwell, Cockrum, Coleman, Day, Evans, Gray, Lutz, Mahern (B), Mahern (D), Malone, Mansfield, McHenry, McQuillen, Minton-McNeill, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Sanders, Scales, Smith, Speedy, Vaughn*
0 NAYS:
2 NOT VOTING: *Hunter, Lewis*

Proposal No. 472, 2009 was retitled GENERAL RESOLUTION NO. 32, 2009, and reads as follows:

Journal of the City-County Council

CITY-COUNTY GENERAL RESOLUTION NO. 32, 2009

A GENERAL RESOLUTION approving certain public purpose grants totaling \$500,000 from the Drug Free Community Fund.

WHEREAS, Indiana Code § 5-2-11-5 requires that sums appropriated from the Drug Free Community Fund shall not be spent until the City-County Council approves the amount of each grant recipient; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The following grants and administrative expenses in the total amount of Five Hundred Thousand Dollars (\$500,000) from the Drug Free Community Fund are hereby approved in the following amounts and projects, and for the following organizations:

Drug Free Community Fund
2010 Annual Grant Awards

I. PREVENTION/EDUCATION

<u>Organization</u>	<u>Project</u>	<u>Amount</u>
Indy Parks and Recreation	CHOICE	\$20,000
Clarian Health	Riley Hospital SBIRT	\$9,692
Clarian Health	Life Savings Skills	\$19,078
Health and Hospital Corp.	Keepin' It Real	\$18,250
Ruth Lilly Health Edu. Ctr.	Connecting for a Healthy Future	\$20,000
Boys & Girls Club of Indpls.	SMART Moves	\$20,000
Lutheran Child & Family Svcs.	Parents Take Action	<u>\$17,980</u>
Subtotal		\$125,000

II. TREATMENT

<u>Organization</u>	<u>Project</u>	<u>Amount</u>
Emberwood Center	Functional Needs Resource Coord.	\$20,834
The Bethlehem House	The Bethlehem House	\$20,834
Gallahue Mental Health	Assisted Living Program	\$20,834
Salvation Army Harbor Light Ctr.	Salvation Army Detox Svcs.	\$20,834
Family Services	Client Advocacy & Care Coord.	\$20,834
Rehab Restoration Center	Women's Redemption Pjct.	<u>\$20,834</u>
Subtotal		\$125,004

III. CRIMINAL JUSTICE

<u>Organization</u>	<u>Project</u>	<u>Amount</u>
Step-Up, Inc.	Women Taking Charge	\$20,000
Marion County Superior Court	Marion County Drug TX Court Diversion	\$20,000
Marion County Superior Court	MC Drug TX Ct. Diversion & Reentry	\$20,000
Marion County Superior Court	Community Court	\$27,000
Marion County Comm. Corrt.	Enhanced Outcome of Subt. Abuse	\$18,000
Marion County Prosecutor	MCPO Narcotics Eviction Program	<u>\$20,000</u>
Subtotal		\$125,000

IV. MISCELLANEOUS/ADMINISTRATIVE

<u>Organization</u>	<u>Project</u>	<u>Amount</u>
Drug Free Marion County	Program Administration	<u>\$124,996</u>
Subtotal		\$124,996

GRAND TOTAL **\$500,000**

SECTION 2. This resolution shall be in effect from and after its passage by the Council and compliance with Indiana Code § 36-3-4-14.

NEW BUSINESS

December 14, 2009

Councillor Lutz wished everyone a Merry Christmas and invited all to attend a town hall meeting tomorrow evening at 7:00 p.m. at the Wayne Township Library Branch.

Councillor Coleman stated that the first robotics program kicks off the first weekend of the new year and asked all of those interested in more information to contact him.

ANNOUNCEMENTS AND ADJOURNMENT

The President said that the docketed agenda for this meeting of the Council having been completed, the Chair would entertain motions for adjournment.

Councillor Sanders stated that she had been asked to offer the following motion for adjournment by Councillor Speedy in memory of Peter L. Barajas, Jr.

Councillor Sanders moved the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of Peter L. Barajas, Jr.. She respectfully asked the support of fellow Councillors. She further requested that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the family advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 8:41 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 14th day of December, 2009.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.



President



Clerk of the Council

ATTEST:

(SEAL)